THE

PAPERS

OF

ANDREW JACKSON

Volume 49

1818

May 8–August 11

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1913

Fort-Scott 8th May 1818
10 OClock P.M.

Sir,

Your several communications of yesterday & to day have been received.

The contents of which shall be ~~strictly~~, & promptly attended to.—

I leave this early in the morning accompanied by the detachment of Tennesseeans that have arived at this post from Fort-Gadsden. I think you may calculate to find Capt. Wright at Fort Montgomery on your arival at that place.—

I have the honor to be very Respectfully your obt Servt

Jno. M. Davis
Asst. Ins. Genl.

Maj. Genl. A. Jackson
Comg. S. D. U. S Army

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Maj. Jno. M. Davis
8th May 1818

Fm Jn M Davis

Extract of a letter from the Secy of War, to Govr. Clark, dated the 8th May, 1818. –

The Cherokees are anxious to have an outlet to the West to the game country, and it seems fair that the Osages, who hold the country west of their settlement, and have been beaten in the contest, (the Osages & Cherokees had been at war.) should either make a concession of such portion of their country as might give the outlet, or at least to grant them an undisturbed passage to and from their hunting grounds. You will, as far as practicable and consistent with justice, make the arrangement favorable to the Cherokees, as the President is anxious to hold out every inducement to the Cherokees, and the other Southern Nations of Indians, to emigrate to the west of the Mississippi –

Extract of a letter from the Secy of War to Govr. Clark and Augt. Chouteau, Esqr. Commrs &c. dated 8th May, 1820.
[1818]

I have the honor to enclose a commission to you to treat with the Quapaws. A principal object of the Negotiation is to acquire lands on the West of the Mississippi, in order to exchange with such of the Indians on this side, as may choose to emigrate to the West.

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Extracts of letter
from Sec of War to Gov
Clark 8th of May & to Gov
Clark & Mr Chotau 8th of
May 1818 – on the subject
of holding a treaty with
the quapas – to obtain land –
The wish of the President that
the cherokees should have
an outlet to the west &c –

Fort Scott
May 9th 1818

Sir,

I have received your letter of this date by Capt. Gates.

Lt. Mayo left here at sun-rise this morn-ing with the men and baggage of the 4th Regt. and all the corn, reserving only a small sup-ply for this Post till the provision boat from Fort Gadsden shall arrive. The issue made yesterday to the Tennessee Volunteers has reduced the quantity below what I had hoped to have sent — Sergt. Smith with the [illegible] horses and servants, arrived in safety, and received all the corn he asked for — He proceeded this day. The Express with dispatches for Major Davis reached him at this place last evening. The Major with the Tennessee Troops left here this morning to carry into execution

7619

the Generals instructions -

After dark last evening I received a letter from Capt. Cuballey dated on the 7th instant 6 miles above the bluff where Cap. Vashon was met on the march of the Army down - The captain informs me he has been compelled to put on shore Cap. Storey and his company as he could not control them - He had on board then fifteen men, and was moving up by warping - I immediately sent to his assistance an Officer and twenty men [illegible] reached him by sun-rise this morning -

Lt Stewart of the Tennessee Volunteers was unfortunately killed yesterday by the kick of a horse. The body has been brought to this place and buried -

Very respectfully
Yr obedient
E. Cutler
Major [illegible]

Col. Butler
Adjt. Genl.

From Major Cutler Dated
Fort Scott May 9th 1818—
relative to Capt. Cobbally &
Lieut Wagers movements—

On Service
E. Cutler
Maj. 4th Inf.

Col. Robert Butler
Adjt. Genl.
Ochesa Village

0296

Fort Dale May 10th 1818

Dear Sir

Yours from Claibourn is now before me, which I rec'd last night on my return from the Alabama. after an absence of nine days. On my arrival I found the Neighbourhood infested with those Savage enemys,

Agreeable to my orders to Lt — Landrum he turned out with Scout and came on a camp of the enemy, which the Villians had deserted on his approach. he while destroy—ing the Camp & Cor Holbs of Meat one of the Villians shot William Cockbourn one of his men dead on the ground, and one other dying by disease. and an accident-aly wounded which ~~Will by~~ ~~Cannot~~ be fit for service during his time

It will be impossible

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for me to keep the woods with safty untill the force is augmented. Lieut Rogers whom you name is comeing on with 25 men at Sapulga. I am told by Travellers he is there with 10 or 12 men. which is all I know of him or his force.

To morrow morning I shall leave this post with all the force I can Spare. and try and Scour the country below whare I have not doubt of finding as many as I can manage in my rout to the river I could find none of them but am induced to believe thare is some in the Large Creek Swamps. rest assured I shall use my best Indeavours to Chastice the Villains. I have the Honor to be yr obedt. Servt

Thomas Higgins Captt Mila

7623

Capt Figures to

Gov. Bibb — Georgia

His Excellency

W. W. Bibb Esqr

St Stephens

7623

To Major Gen. Jackson
Comdg S. Division

Fort St. Marks
May 11. 1818.

Sir

By the arrival of Lieut. Willard,
I have this received your letter of the 7th inst.
The captured Schooner was detained
several days at the mouth of the river
by head winds, which accounts for her delay.
Lieut. informing me she was entering the ~~mouth~~
Apalachicola bay at the time of his sailing
All has been perfectly quiet here since
your departure — I learn from a mixed
Mulatto & Indian breed woman, who belongs
to Mr. Hambly, and who made her
escape together with her three small children,
from McQueen's party that he, after the
affaire with McIntosh, proceeded towards
this place, but on the opposite side the
St. Marks river, where he had provisions;
that he there remained until your depar-
ture for Ft. Gadsden. he then proceeded
towards Suwaney and had reached the Ossilla
It was from thence that this woman gave
them the slip. It appears that the
woman you sent from beyond the Ossilla
to McQueen's party reported faithfully your
demand, but they said we will not give
ourselves up

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They have exhausted their provisions and have no more ammunition.

Is-tenna-ge-ya-ke has also joined McQueen and shews no disposition to return. — Another Indian liberated by you was anxious to return, but could find no opportunity of escape.

I regret to state that seven of my men have deserted, all in one Canoe: Lieut Parkhurst informs me that he has long suspected the greatest part of them, of harbouring the design. I have despatched him in search of them with directions that should they resist, if overtaken, to make a prompt example of them on the spot. — Three are dead since you left here and our sick report is still very great & our hospital Stores very scanty. —

Of the absentees from the two Infantry Companies, some have joined me by the arrival of the vessel.

With the most perfect respect I am, Sir, ever & faithfully your Obt. St.

A. C. W. Fanning
Maj Comdg St Marks

Since writing the above Lt P. has returned, but without success. The deserters have, no doubt, taken towards Florida Point

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Majr. Fanning to

Majr. Genl. Jackson.

St. Marks. 11th May 1818

Major General Andrew Jackson
Commanding South Division

Major General Andrew Jackson
Commanding South Division

Majr Hammond to
Majr Genl Jackson.
9 March. 11th May 1818

Milledgeville [illegible]th May 1818

Sir

I deem it my duty to inform you that my Brigade reached Hartford on the 1st Inst. where we found but three days rations the Boats not having arrived as had been expected from Darien - on the 4th it was mustered out of Service, and finding it impossible to obtain supplies the officers & men in general were willing to return to their homes, having assisted each other with what money they had - Previous to my arriving at Fort Early I sent on the Paymasters of the different Regiments with your letter but unfortunately he was out of Town [illegible] General however they presented your [illegible] the Directors of the Bank who agreed to [illegible] the money without interest and every arrangement apparently made for the getting of it - Having obtained information that the principal part of my command were returning, he deemed it unnecessary to advance it, as the Paymasters would have to attend in the respective Counties for the purpose of paying off the companies which had returned, thus Sir by his being absent from his post which I am sorry to say I have been informed is too often the case the object in procuring the money was frustrated and ~~the state~~ of my command [illegible]arged

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altho the Regiment arrived here on the first an opportunity did not present itself to see him until the 5th

Relative to the attack on Chehaw he appears to regret it extremely and states that he was governed by the different certificates that he had received – The Indians who went to see the agent to enquire the cause of the attack on their Town succeeded in ~~seeing~~ doing so him and he has pledged himself to do them Justice – I had an interview with the agent and the Governor and they have concluded, that a talk will be immediately held with the chiefs of that place ascertain the amt of property destroyed and make [illegible] compensation for the same. This is at once [illegible] the impropriety of the attack [illegible] the least degree Knowing [illegible] will be attached to the State – [illegible] arriving at Hartford I found Captain Wright with about 18 men attached to his command – believing there to be no danger on the frontier and not the least probability of their rendering much service I ordered it discharged –

I should be glad to hear from you by the 1st opportunity as to the payment of my Brigade &c

I have the honor to be
yours with respect
Thos. Glascock

Major Genl
A. Jackson

From Gen. Glascock
11th. May 1818. —

Answered

containing the
the [illegible] of the
[illegible] of the
Georgia Brigade

Gen. Glascock's letter
Answered

The Postmaster will have this forwarded to
Fort Early immediately — and the officer
at that Post to [illegible] [illegible]

Genl. Andrew Jackson
comdg Division of the South
Nashville
Tennessee
Mail

MILLEDG[...] MAY 26

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From Gen. Glascock
11th. May 1818. —

Answered

containing the the ... of the Officers of the Georgia Brigade

Genl. Glascock's letter
Answered

The Postmaster will have this forwarded to Fort Early immediately — and the Officer at that Post to Fort Scott

Genl. Jackson

Maj. Genl. Andrew Jackson
Comg. the Division of the South

Mail
Nashville
Tennessee

Milledgeville
May 15
MAY 26

Savannah May 12th 1818.

Sir,

At Hartford Georgia on the 4th Instant, I discharged from the service of the United States, in compliance with the General Order, dated "Camp Bowlegs Town, W Bank Suwanney river April 20th 1818, the Brigade of Georgia Militia commanded by Brigadier General Thos Glascock. And in discharging, only the Troops under his immediate command, I conceive the intentions of the commanding Genl of Division were fulfilled, as it does not seem that the clause under which I have acted embraced any other Troops than those with whom I marched; and consequently did not muster out of service, those stationed at the big bend of the Oakmulgee it vicinity Hartford or Fort Early. And the few remaining in the rear, I presumed the officer who should conduct them to Georgia would be ordered to discharge. Genl Glascock did not consider any of the forces on the Oakmulgee attached to his Brigade, they are said to have

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been mustered into service for six months, but as regards the compa=
=ny, of Capt Wright stationed at Hartford, tis doubtful whether
it will be consider'd as being or ever having been in the service of the
United States, the Captain states that he came out under the same
requisition with Major Minton, but he has never been mustered
into service by the competent authority, his rolls were handed to me
for inspection but I would not recognize them, because the sig=
nature attached to them, was not officially known to me, and
I understood the person signing was a dismissed aid de Camp
of Genl Glasscock and the date of the rolls was subsequent to
his dismissal, this person whose name is Thos J Walton, I was
informed placed Capt Wright in command of all the troops
on the Ockmulgee, and occasionally assumed it himself
together with other unauthorized acts, amongst which was the
removal of some of the Militia posted at the big bend
of the Ockmulgee to a higher point. added to my doubt
whether twas intended the last mentioned Militia should

be discharge
circumstanc
until the
account o
reached th
the officia
the India
arrival a
flames, on
the swamp
were p
their mis
considered
deed was
that we
gratified
six men ke

7630

be discharged by me, I believed the General would under existing circumstances approve the continuance of them at those stations until the wrath of the injured Chehaws should subside, lest the account of this shameful attack upon them, should not have reached the General. I have enclosed the Executive orders and the official ~~account~~ report of Capt Wright, and will briefly narrate the Indian statement made to Lieut Ruffin & myself on our arrival at the part of their village which had escaped the flames; on our approach we saw some warriors riding thro' the swamp, and sent our interpreter Gray, to inform them we were friends, they met us cordially and after stating their misfortune, enquired the cause, and said they had considered Genl Jackson their friend, we assured them the deed was done without his authority or knowledge, and that we believed he would disapprove the act, they were gratified with this information, and said their loss was six men killed and four females & that some of these

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were killed while unarmed and at their daily labour, and that sd Howard was killed by numberless balls with the white flag extended in hands, and that not a Warrior fired a gun, from the best accounts not more than thirty men were at the Village when attacked. We left the Brigade at Miccousukie, and had the Indians been disposed to retaliate never could a better opportunity have been afforded them our party was ten in number, and had but two rifles, yet we were kindly received, and all that their Town afforded, was set before us; as soon as we informed them that the Troops were without provision they sent out to collect beef against their arrival, and otherwise manifested their peaceful disposition. A number of the Georgia Militia, had with=out, proper authority delivered their ~~arms~~ muskets, to the Tennessee Troops and purchased of the latter their Rifles, I therefore made a note of all such upon the muster rolls, that the Pay Master should deduct the price of the muskets from their pay.

Very Respectfully Sir yr obt Servt.

[illegible]

To Col Rt Butler adjt Genl S.D.

May 12th. 1818.

from Capt. Wm. Bee -

enclosing statement of Chehaw

Town's destruction by

Capt. Obed Wright

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Department of War.

13th May. 1818

Sir,

The Commission not being prepared in time to accompany the instructions which ware transmitted to you a few days since, is now herewith enclosed. When received, you will be pleased to give Genl. Jackson, who is joined with you in the Commission, information thereof.

I hve the honor to be,

With verry great respect.

Your mo: Obedt. Servt.

J. C. Calhoun

His Excelly.

Isaac Shelby

Commr. &c.

Kentucky

a copy

7632

Fort Gadsden
13th May 1818

Sir

I have the honor to inform, that I left Fort St. Marks on the evening of the 29th April, on board of the Schooner Chance, with the detachment under my Command, with ten days Provision, the wind being a head we were unable to get to sea until the 3 of May, in the Evening we were blown off the land in a gale and were unable to make it until the evening of the 6th when we anchored under Oakalackany Point for shelter, the wind still continuing to blow from the west.

On the 8 we got under way and had continued head winds, and on the 8th about 12 Oclock we arrived within sight of the Appalachicola bay at the same time discovered a schooner to the Southward of us about six Miles under a press of sails, with a view of getting into the bay, or coming up with us as we supposed in the evening we came to anchor about half a mile to the Eastward of the channel and could then discover the schooner very distinctly, on the morning of the 9th she was not in sight, we then came into the bay and met a schooner bound to Savannah, we gave the Captain three water casks agreeable to your Order, from him we obtained about 12lbs or 15lbs Pork, Our Provision having fallen short, we then continued our course up the bay, met a schooner bound for St. Marks, in the evening we came to Anchor, and next morning I dispatched a boat with Mr. Delrain and four men with a view of informing you of our situation, the Pilots being bad, they were unable to find the

right river, and returned to us in the Evening, I then concluded not to send the Boat, but to issue some Corn which was put on board at St Marks, which I did, we found little or no difficulty but the Current in ascending the River.

I am Sir very respectfully
Your Obedient Servant
(Signed) J W Brady
Qr Mr & Insty

Major General Gaines
U. S Army

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Dr. Brady's Report
of the voyage of the
schooner Chance
from St. Marks to
Fort Gadsden

May 13. 1818

Recd. May 14.

His Excellency
Fort Dale May 16th 1818

W.W. Bibb Esqr

Sir

Last Evening I returned from a Round To the other Posts on my arrival at Pine Barren the Lieut. had been out on a Scout, found a Camp of the enemy with a Large Stock of Provisions while distroying it Last one of his Centinals Shot on his Post, the Lieutenant Immediately ordered a Charge into the swamp but Could not discover an Indian however Succeeded in distroying their Camp and bringing of their Kives Head dresses Skins &c.

Ensign Reynolds in my absence on a Small Excurtion on the Road Near Garys Improvements discovered Two of Hostiles Shot one dead and Wounded the other whom it Confidently believed was Savana Jack the Noted Villian—

From the best information I can get the Enemy have for the Last Six or Eight days made Considerable Sign from Eight or Ten miles above this, in Several Places and Near the Road as far down as the Pine Orchard. I am induced to believe there is a Considerable Number in this Quarter the Aggragate Number at the Sepulgas is onely 75 I have ordered the Baggage Guard to Use their best indeavours to Try and Collect the Ballance of them, 30 or 35 men is as many as I Can Posiably Take in the woods from all the Posts, and that Number will not Justify my Taking a Tour on the Conecue where I think a Considerable number of the enemy may be found,

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Cits

its my impression it will be adviseable to send us
a Settled Company, which then would enable me
to keep ~~to the~~ the Posts sufficiently Strong and a
Sufficient force for the woods to ensure Success—

I have the Honor
to be Sir Your
Obedient Servant—
Thomas Figures Capt. Comg

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Capt Hegans
to
Gov. Bibb - Georgia
May 16. 1818

His Excellency
W. W. Bibb Esqr.
Fort Crawford

Petition of
Lt. Wager

H. Qrs. Fort Gadsden
May 17. 1818

General,

I had the pleasure to receive on the 12 by Lt. Wager your letter of the 10th. of this month.

The tardy movement of the barge under Captain Donohoo, is ascribed to the unwieldy size of that vessel, and the continued rapidity of the current. I am much gratified to learn, however, that you profited by the extraordinary delay of the boat under Captain Corbally; and that with your usual good fortune you obtained a speedy passage across the river, and a timely supply of rations for your troops.

I feel greatly indebted to Captain Ellis of the Tennessee Volunteers for his attention to the remains of my unfortunate young friend Major Wright — and to you, my dear General,

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for your communication upon that subject.

The watch, the dirk, knife and buttons are received, and I have delivered them, with the other effects of the major, left at Fort Scott, and just arrived at this place, to Mr. Randolph, P. M. who promises to forward them safely to Governor Wright. and I shall lose no time in communicating to him the intelligence which you have been so kind as to give me, of the interment of his son, by captain Ellis, and the generous proposition of that worthy officer to return from Tennessee, should it be desired, to point out the place of interment.

I shall myself, after visiting Fort Scott, endeavor to have the place found, and the grave better secured than the means captain Ellis had of doing it, would permit — should I succeed I will apprise you and Governor Wright thereof.

Major Schuyler Chance with the detachment under Lt. Birdy arrived not until the 12th.

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instant. The schooner had been aground. The detachment had made use of your corn, and having moreover received of Lt Hillard a small supply of rations, have not suffered with hunger. Most of the sick and wounded on board are recovering. I inclose herewith the report of Dr. Brady. The Chance is reported to be seaworthy, having undergone some repairs since her arrival. She will be ready to sail this day, and will take on board for Mobile, the Detachment of Captain Peters' company here, and as many of the Tennessee volunteers as can be accomodated.

Of the sick left at this place we have been so unfortunate as to lose five, and one of those brought from St. Marks — the whole now in hospital appear to be out of danger, most of them indeed are convallescent. We shall receive by Captain McKeever, who arrived yesterday evening, a timely supply of medicin

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and hospital stores. The Captain departs this morning for Pensacola, with despatches brought by him from New orleans. He hopes to reach Pensacola in time to be servicable to you.

I have received no information respecting the Scattered Seminola Indians, since your departure.

Wishing you health and every happiness. I am with the greatest Respect and Esteem, Your obdt. servant

Edmund P. Gaines

Major General
Andrew Jackson
Commander in chief
Division of the South.

H. Qrs. Fort Gadsden
May 17th. 1818

General,

I have considered it to be my duty to lay before you a copy of a letter purporting to be "private and unofficial" from the adjutant and Inspector General to Colonel King of the 4th. Infantry; together with a copy of the order referred to and accompanied by that letter.

This extraordinary document will speak for itself, when compared with the order. I have therefore only to ask the favor of you to compare and dispose of them as their conflicting tenor, shall, in your better judgment suggest.

Whether such productions, emanating from the chief of the staff of the army, are calculated to promote the public interests, and enhance the military character of our country; or whether intended merely to thwart the views of the General, charged with an intention to "make war upon the seminolas"! I need not, as perhaps I ought not to determine. I have the honor to be most respectfully, your obdt. Servt.

Edmund P. Gaines
maj Genl. by Brevet.

Major Genl. Andrew Jackson
Commander in Chief Division of the South

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To Major General

Andrew Jackson

commanding in chief

division of the South

Alabama Territory

(Copy)

Pensacola May 17 – 1818

Sir:

I have the honor to inform you, that I arrived at this port last evening from New Orleans, in charge of the United States transport Schooner Amelia, freighted with supplies (say 20 thousand complete rations) destined for the support of the U.S. Garrison of Fort Crawford; and in pursuance of instructions from Brig.^r Genl Bissell Commanding 8.th U.S. Military Department, request your Excellency's permission to ascend the Escambia River through the Spanish Territory, in the execution of that object. – The usual charges of the Customs will be paid if required, which I must observe is not expected; the passage being an innocent one, such, as nations at peace are bound by natural laws to afford each other – the Cargo being the property of the U.S. Government shipped from one port in the U.S. to another, and not touching at this port, but merely passing through your waters. –

I beg leave to request, to be favored with your Excellency's decision as early as your convenience will permit, as it desirable

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that the movement of those supplies should not be unnecessarily delayed. –

I am further instructed to enquire of your Excellency, whether American transports destined to, and freighted with supplies for the Garrison of Fort Crawford, will be permitted to pass this place in future by paying the usual transit duties, (should they be deemed indispensable) and conforming to instructions with which they will be furnished, of reporting to your Excellency, their arrival, their Cargo, and destination. –

I have the honor to be
Sir Respectfully
Your Obt Sevt
T. Cross
Lieut. U. S. Army

To His Excellency
J. Masot
Governor of Pensacola &c.

(Copy) May - 18th 1818

(Translation)

I have taken notice of your letter of this morning, and accede to your request in permitting the Cargo of provisions which you mention, to pass up to Fort Crawford - But I am not authorised to let them pass, free of the moderate duty of 2 per Cent established here, without any other Royal nor municipal duty; in Consequence of it you will be good enough to give a notice of them to the Custom house, in order ~~that~~ to estimate them, and calculate the said duties. -

I cannot categorically answer to your inquiry, relative to American transports destined to and freighted with provisions for the Garrison of Fort Crawford, being permitted to pass this place in future by paying the transit duties - Because the superior chief to whom I am subordinated, has not yet given his resolution on this, and whatever he may resolve, will be communicated by me to Brigr Genl Bissell.

God preserve you many years &c.

Pensacola 15 May 1818 -

(Signed) José Masot

To - J. Goss Esqr
Lieut &c.

7646 -

(Copy.)

May 18th 1818

(Translation)

By an agreement concluded with the Commanding officer of Fort Crawford Major Young, I have gathered all the fugitive Creeks that were in this vicinity, whom I advised to accept his offers, which were to receive them if they would give up peaceably, the result whereof has been as desired, and I then determined that they should march in three divisions on the 13th 14th & 15th Inst, having first agreed with the principal warriors, that in future all the Indians found in this place, should be taken up and remitted to Fort Crawford - Five men women and Children, are confined in the Royal gaol, and I request you to tell me if you can take charge of them in the transport under your Command. —

God preserve your life many years. - Pensacola 18 May 1818. —

(Signed) José Masot

Lt. J. Cross
of the U. S. Army

7648-9

Fort Crawford

19th May 1818.

Sir,

I this day have discovered by Order's from the Adjt. General, that active opperations are contemplated below; may I, should that be the case, solicit permission to participate and receive your Order by this express to that effect.

Accept Sir, my highest esteem & regard

I am sir, respectfully
your most Obt. Servt.

White Youngs
Bt. Majr.

Majr. Genl. Jackson
Comg.

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Fort Crawford
19th May 1818.

Sir,

I this day have discovered by Orders from the Adjt General, that active operations are contemplated below; may I, should that be the case, solicit permission to participate and receive your Order by this express to that effect.

Accept Sir, my highest esteem & regard

I am Sir, respectfully
your Most Obt. Servt.

Maj. Genl. Jackson
Comg.

White Youngs
Bt. Majr.

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From
Majr W Young
to
Genl Jackson

Majr. Genl. A. Jackson
comm'g S. D.
Durants Bluff or
else where

(Copy)

Pensacola May 19 – 1818

Sir,

I have the honor to acknowledge the reception of your Excellency's two notes of yesterday and to inform you, that the duties imposed by your decision on the Cargo of the U. S. transport Amelia, have been paid, and so soon as small Boats can be procured, the supplies will be forwarded to Fort Crawford. — The duties 'tis true are moderate. I cannot however forbear observing (as in my note of the 17th Inst.) that the United States have a right to expect, and do expect, the free navigation of the Escambia River for public supplies; and I feel authorised to say, that though the urgency of the present occasion may perhaps justify that sacrifice of national right for this time, yet I cannot think, that any thing less than a passage free from all duties, will be accepted in future. — In reply to your enquiry relative to the fugitive Indians being conducted to Fort Crawford, I shall observe, that should the Boats in which the supplies will

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go, permit, it will be done with pleasure—
But as I observed to your Excellency in a conversation yesterday morning, it is expected that the Commanding Officer of Fort Crawford will send Boats to receive the Cargo of the transport, and immediately on their arrival I will communicate a definitive answer on that subject.—

For the very friendly and attentive reception with which you have favoured me, I beg you to receive my gratefull acknowledgements—

I have the honor to be
Sir
Respectfully
Your Obt. Servt.
T. Cross
Lieut. U. S. Army

To His Excellency
J. Mason
Governor &c

No. 4

Fort Hawkins 20th May 1818

Sir,

I have purchased and delivered to Maj. Patten one waggon & team of five horses for the purpose of transporting the baggage & sick of the Detachment of Tennessee volunteers under his command, and advanced him seven hundred & fifty dollars for the purpose of procuring more transportation, should be required, & for foraging the horses of his detachment & contingent expenses.

Should this team not be required for the public service on its arrival at the Head Quarters of Gen Jackson you will oblige me by ordering it to be sold for the benefit of the United States

I am Sir

very Respectfully
yr. ob. servant
M. Mason
Dep. Q.M. Genl.

Col. Robt. Butler
Adjt. Gen.
Division of the South
Nashville

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28th May 1818
from Maj. Mason

Dep. Q. Master
On the subject of
transportation &c to Tennessee Troops

Service
M. Mason
Dep Q.M. G.

Col. Robt. Butler
Adjt. Gen.
D. of the South
Tav. by
Maj. Jellen
Nashville

Head Quarters } Asst. Adjt. Genls office
6th & 7th Mil. Dept } Fort Gadsden 22d May 1818

General orders

The Troops are to be drilled and exercised pursuant to the established "System for Infantry" every fair day, from Reveille until Breakfast call.

The exercise on every sunday, if fair if not, the next fair day, will continue for at least two hours and be attended by every officer and man able to bear Arms, in complete uniform. Other drills and Exercises during the remaining part of the week will likewise be attended by all, excep-ting only such working parties as the commanding officer present may deem pro-per to put on indispensable extra duty, which must be particularly designated by him in Orders, noting the names of men thus employed and excused from the ordinary morning drill.— From the sunday or principal drill, none able to bear arms can be excused.

The Corps of artillery and detachment of Infantry doing Artillery duty, will in addition to the drill prescribed for Infantry alternately attend the Artillery exercise.

The drill will in no case be intrusted to a noncommissioned officer.

7656 Lieut Colonel Arbuckle required to attend

as a witness the General Court martial about to assemble at Fort Scott, will turn over his command, during his absence, to Major Twiggs, whose attention is particularly called to the General orders & instructions bearing date the 5th & 6th of the present month.

By order.
J. M. Glassell
Actg A. A. Gen.

Adjt. Genl's Office
Southern Division
General orders 6th & 7th
Mil. Dept. 22d May 1818

Protest.

Having been informed of Your Excellency with the Troops under your command. passing the Frontiers & entering the Territory of West Florida under my charge, against which proceedings I protest, as an infringement and insult offered to his King & Master, obliges me in his name to declare to your Excellency to leave the boundaries, and if you will proceed contrary to his expectations I will repulse your force to force. The Results in this case will be an effusion of blood & will also disturb the present harmony existing betwixt our nations. but as I will only oppose the insult of your approach I shall not consider myself the agressor. You will therefore be responsible before God & Men for the consequences & results of the same.

God save your excellency many years,

Pensacola. 22 May 1818.

Jose Masot

Genl. A Jackson

7658 Comr. Am. Troops.

Gov. Pensacola Order

22 May 1818

Copy of the Protest of the Governor of West Florida. Received on line of march, May 23rd 1818.

Having been informed of your Excellency with the Troops under your command passing the Frontier and entering the Territory of West Florida under my charge, against which proceeding I protest, as an infringement and insult offered to his King and Master, obliges me in his name to declare to your Excell=ency to leave the boundaries, and if you will proceed contrary to his expectations I will repulse your force to force. The results in this case will be an effusion of blood and will also disturb the present harmony existing betwixt our nations, but as I will only oppose the insult of your approach I shall not consider myself the agressor. You will therefore be res=ponsible before God and men for the consequences and results of the same.

God save your Excellency many years

Pensacola 22 May 1818—

Jose Masot

7659

Copy of the Protest from the Gov.r West Florida Josef Masot to Maj.r Genl. Andrew Jackson, dated Pensacola 22nd May 1818 —

I certify that on the 25th of May 1818 being in the Bayou which enters Pensacola Bay 1½ miles from the Town, I saw at the ferry on the road to Barrancas, a number of Indians, I think about 17. in company with 4 Spanish officers. – The Officers were carried over and the boat returned to ferry over the Indians. I saw one boat load landed on the side next the Barrancas. The Indians concealed themselves in the bushes on discovering us.

signed Richard Brickham

Witness
signed T. Crop
Lieut. Inft. 4.

I certify that I was in the boat with Brickham at the place & time mentioned in the above certificate. That I saw several Indians in company with 4 Spanish officers – The Officers were ferried over with one Indian. – I did not see the Indians ferried over. – They concealed themselves on discovering us. –

signed John his + mark Bonner

Witness
signed T. Crop
Lt. Inft. 4

7661

signed William Hutton Witness to both certificates

We certify that being in Fort St. Charles, Barrancas, on the 28th of May 1818. in the Afternoon. soon after the American troops took possession of the work and as the Spanish troops were marching out, we saw an Indian, carried out by some of the Spanish soldiers, he was laid on the beech to be put on board the boat. he was wounded in the leg or thigh, and had every appearence of having been engaged. in the deffence of the Fort.

signed

William Russal
capt.n Spies

James L Bell
Capt.n 1Regt. T.V. M. G. M.

Witness to the certificate
signed
William F Tutton
Private Secy
com.g Genl.

7662

Certificates in relation
to Indians being in
Pensacola & Barrancas
Before & at the time
the American
army marched
upon that Place.

Pensacola May 23d. 1818

Sir

I have the honor to report, that in pursuance of orders from Brigr. Genl. Bissell Comg. 8 M.D., I left New Orleans on the 5th. Inst. in charge of the U. S. transport Schooner Amelia freighted with provisions destined to Fort Crawford via this place, where I arrived on the evening of the 16th; and obtained permission on the 18th, to ascend the Escambia River to Fort Crawford, on the terms which I was directed to offer, and which will be more fully explained by the accompanying notes (marked from No. 1 to 4) which passed on the occasion — I am aware Sir that the terms do not correspond with the spirit of your letter to the Commanding officer of the 8th. Dept. received a few days before my departure; nor do they accord with my idea of our rights in the Case, but the offer of the payment of duties, was made in obedience to an order issued by Lieut. Colo. Trimble to the Contractor, prior to the receipt of your letter, and founded on instructions from the War Department, which order was not countermanded by

7663

Brig: Genl. Brooke. —

The inquiry relative to the future passage of vessels, was made with the view of obviating the inconvenience of sending an officer on every occasion, and to know certainly what is was to be expected in future.

Since the grant of permission to pass, I have been waiting the arrival of Boats from Fort Crawford, to receive the Cargo of the Schooner, which have not yet arrived, and I beg leave now to inform you, that I have on board near 20 thousand Complete rations which await your orders. —

I experienced neither diffi-culty nor delay, in obtaining the requested permission, & notwithstanding the declared want of power to grant a passage on other terms, (and not even such in future) I am of opinion, had it been boldly demanded, there would not have been a moments hesitation — a letter recently received from you, has much reduced that high tone which his Excellency heretofore assumed. — I have the honor to be most Respectfully Sir

Majr. Genl. Jackson }
Cmd.

T. Cross
Lieut. 1st Infantry

Major Genl: Jackson
Com:s

Before Pensacola. May 24th. 1818,

To The Command. Officer of Pensacola.

Sir.

I am informed that you have orders to fire on my troops entering the City to procure supplies from an American vessel in the bay. I wish you to understand distinctly that if such orders are carried into effect, I will put to death every man found in arms.

The regular soldiers under your command ~~[illegible]~~ must be placed under the direction and care of my troops until an answer is obtained from the Governor to my communication to prevent unpleasant occurrences—

respectfully yrs &c &c

Andrew Jackson

Mj Genl. comdg.

7665

Genl. Jackson

To

Commdg. Offr at

Pensacola

24th May 1818

Donaldsonville Lafourche
May 24th 1818—

Your letter came safe to hand my beloved Aunt
two Days since – this being Mail Day, I therefore lose no
time, in attempting a discription of my feelings on its
perusal — Yes my Aunt I felt all the gratitude all the
affection which could possibly glow in the bosom of a
fond child to its Parent — and when I came to the
part where you address me by the endearing appel-
-lation of child! need I add the tears of affection and fond
recollection trickled down my pale cheeks as rain drops
— believe me I feel doubly indebted for this mark of
affection, as I am aware you have not the time to
devote to writing, which many of my neglectful unfriendly
relations have — some of whom I have written long very long
since, without ever being noticed — we have all our lesson
to learn in this life — I have been taught mine — know
it I think by heart, and shall hereafter proffit by it —
I think I have learn'd how to appreciate my friends — and
to whom to devote my time hereafter — you attempt my
dear Aunt to palliate Lydias unpardonable neglect of me
but oh! how different are her feelings and disposition
from mine — when I have any trial or distress to contend
with, to whom do I fly for consolation:, so soon as to the friends
of my affections, — particularly those on whom I have the
claims of relationship — that her infant has been ill
I feel no disposition to doubt — but I am aware there
are many hours (the person being so dispos'd) which we
may all find to devote to duty in this she has not
only been remiss to me — but shamefully so to my poor
mother — if she finds this consistent, with her ideas of what

7666

is due to a parent - for in that light she has every right to respect and view a Mama as she certainly is at liberty to enjoy them As for Rachel her I certainly have not only the claims of relationship, but also those of early professd friendship, which with me is not in the slightest degree less binding - I should have suppos'd it would have afforded some consolation to have told her cares her sorrows, to a being she must be convinced would have sympathis'd with her and she would have endeavor'd at least to have administer'd comfort — but to "some people the old, tho' vulgar adage, might I think in reason be apply'd, out of sight, out of mind — My other friends I have no right to complain of - I receiv'd long letters from Mr Hanna and James Jackson — dear dear friends the gratitude and affection I feel toward them both is indescribable - never oh never shall I have it in my power to shew half I feel towards them both —

I was delighted on the return of Mr Bell from Orleans two Days since - to learn he had seen and convers'd with Alfred Flornoy, who will leave there this Day with a number of sick soldiers for Nashville in the Steam Boat Etna - he left uncle Jackson and the rest of our dear friends well - pursuing their rout - to Pensecola, their object, believed, to take the Indians from under the protection of the Spanish Governor of that place - this tis thought will be done without much trouble Heaven Grant I pray - he describes the hardships and privation of this campaign, as far surpasing those experienced on former campaigns - but said the ballance of the troops were in fine health and spirits — Oh! how my heart throbs at the idea of again beholding my dearest friend in safety again - a blessing I never anticipated - as on leaving Nashville I was under the impression my days were numberd few - too few to afford me that happiness - but a few short months, nay even days, oft times bring about circumstances very unlook'd for - since I last wrote we have relinquish'd the idea of undertaking the journey on Horseback - and determin'd on going up in a Steam-Boat - which to me is greatly more pleasing - the weather is already so warm, I am so weak, I am sure I never should have been able to have surmounted the fatigues of such a journey - You have

travell'd the road, know the poverty of the wretched Indians who in- -habit it - and the many privations and hardships I should necessarily be oblig'd to undergo - I believe much as I wish to see my belov'd friends and country, if this still was the purpos'd mode of travel I should give out — But should I be spared and no accident happen I calculate on seeing you somewhere about the middle of July - we had determined on going up in the Etna, but some business of Mr Bells interven'd to prevent - he has been pressing me since his return from town to go up in her under the protection of Capt. Gale and his Lady, and held out as an inducement Dr. Flornoys being on board - but to this I cannot consent - there are a thousand incidents trifling in themselves, which have great weight with me in the first place supposing I should be confin'd from ind- -isposition, I am convinced I should feel greatly distress'd at the idea of being troublesome to strangers or a tax on any except [illegible] on whom I have claims — Mr Bell saw [illegible] [illegible] family (Mr Farrar excepted) in the City they were [illegible] [illegible], she is still in very delicate health - Richard Butler [illegible] with them - they had intended to visit the Bay of St Louis when they left home, but have given the trip over - sent for Eliza to stay with them which she will do, at least a portion of the time, in my absence — she is extremely anxious to get me off - being greatly more alarm'd than I myself am at my situation - I am much better, have enjoy'd more health within the last six weeks, and less depression of spirits, than for some - months back — hope I may yet recover —

I was greatly delighted at the news of Polly Donaldsons & Miss Smith's having done so well - but for Jane I feel double the interest need I say how overjoy'd I am in believing, in taking as a partner for life one of my greatest favorites - whose unaffected modest gent- -lemanly deportment has, and shall ever secure him a place in my warmest regard, she has to herself secur'd happiness for life — I suppose all is over ere this - remember me affectionately to them both - tell them the pleasure I shall experience on seeing them on my arrival — to all my relations remember me most affectionately - tell them I am now convinced they are far more dear to me, than I am to them - and if I could make myself believe they only should experience

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half the pleasure anticipated by me, what a joyful meeting would be ours kiss Lydia her dear little children and my poor little brother for me, to all the blessed children I send kisses and blessings my dear Andrew not forgotten - tell him to have Coosey in good order against I arrive I shall want his services as my gallant - to Aunt and Uncle Hays and the Girls remember us all with affection - we are truely distressed at the idea of Uncle Hays's ill health - we love him as a Father -

Lafourche La
24th May 1818

Mrs General Jackson
Nashville
Tennessee

Mail

I shall have many a long talk with you I hope, we will settle the whole affairs of the Nation a dozen times over, and if I should be only in the health I at present enjoy - and could be induced to smile, (as 'tis not often the case) I hope we shall have some hearty laughs also - love to Mrs Caffrey - and that heaven may ever bless and comfort you in all your trials - that you may yet see years of happiness to compensate for anguish experienced prays sincerely thine
excuse the imperfections of this scrawl 'tis y own in affection
for your eye alone - C. L. Bell

Dublin Georgia 24th May 1818

Sir

I am directed by Majr. Genl Jackson commanding the division of the South, to arrest you and conduct you to Fort Hawkins where you are to remain untill the pleasure of the president of the U. States be known on your case

You will therefore consider yourself in arrest and proceed accordingly -- By order

I am Respectfully yours &c

(signed) Jno. M Davis
asst. insp Genl
U S Army

Capt. Obed Wright
Georgia Militia

7668

Copy of Capt Wrights arrest.

Fort of St. Charles Barrancas, 24th May. 1818.

Sir

I received your Excell's two letters one of the 23d the other of this date by your aid de camp Captn. Gadsden, and to all the charges brought against me by your Excellency, I have answered as I conceive satisfactorily in my letter of the 18 Ulto. I will therefore only add that in relation to the Indians, your Excellency has been misinformed ~~in first of the place~~ the two indians which I found after the peace negociated by me & the 87 indians delivered to Maj. Youngs: are the same who are now confined in the jail of Pensacola together with three women & children, and long before the movements of your Excellency I had given orders to the Post of Appalache that the Seminoles should not be succoured in any way. which line of conduct I have also observed here, excepting with those unfortunate few who have for time immemorial supplied this place with firewood.

Your Excellency charges me with the blood shed, which might be caused in my resistance, on not giving up the Province, agreeable to your wishes, — you solicit what I never can, nor never will comply with, to stain in my old age, my military career being well assured that were you in my place that your Excellency would not ~~stain~~ sully the honorable laurels which adorn you, let the motives be what they may. no nation has a

7670

right to violate the territories of another per-
mission to a protestation being first sent to that
government. Your Exc.y has violated the terri-
tory of Spain, by taking possession of the port of
Appelachy, and lowering the Spanish colours, when
you might have taken a medium more concil-
atory, which would have united still stronger
the bonds of friendship between our governments.

On the 21.st ulto. Your Exc.y made prisoners, on
their parol of honor Don Pedro Philibert and other
inhabitants, at their respective plantations. This
day at eleven, before Captn. Gadsden arrived at
Pensacola on his return from Barancas, the army
of your Excelly. entered that place, and made pri-
soners, Don Pedro de Alva Interpreter, who transla
ted your two letters and is bearer of this, and I
believe also the officers, & took the two Chiefs who were
left in charge to preserve the tranquility of
that Place.

This being explained I ask, who will
be responsable for the blood shed? will it not
be Your Excelly. when you say in your letter you
will take Pensacola & Baracas, - I protest
before God and man that I will be blameless
and that my ardent wishes are, and have always
been to contribute to the peace, & friendship of our
respective nations, for beside the sincerity of my
intentions I have before me the message of the
President of the U. States of the 25th. of March last.

and its contents led me to believe, that nothing of a hostile character would be attempted by the troops of the Un: States: How unfortunately this province has suffered, at Appelachy & Pensacola by the movements of your Excell.cy I hope from the generosity of your Excellency, that you will first liberate the officers & troops of the garrison of Pensacola, then after provisioning your Army you will, in a short time, retire from the territory of the Province, and not carry on a partial war in West Florida, at a time when our respective nations, are lulled into a state of peace & friendship. –

The Lt Col: Don Lewis Piernas, command.t in Pensacola, is legally authorised to exercise in my place, my functions, and to receive communications from your Excell.y – which he will remit me, and I will immediately & promptly answer the same, all which shall be transmitted by the bearer of this Don Pedro De Alva. – Finally and contrary to my expectations if your Excell.cy will persist in your intentions to occupy this fortress: I am resolved to defend it to the last extremety, opposing force to force; and he who stands in self defence, can never be censured. God preserve your exc: many years

Gen: A. Jackson
Maj.r Gen: com:

Jose. Masot

7671

and it [illegible] to retire [illegible] that nothing [illegible]
in this [illegible] by the troops
of the U. States. You [illegible] with this province
was [illegible] by the
government of your Excell.cy. I hope from the gene-
rosity of your Excellency, that you will [illegible] the
[illegible] the officers & troops of the garrison of
Pensacola [illegible]
you will in a short time retire from the ter-
ritory of this Province, and not carry on a
[illegible] war in West Florida, at a time
when our respective nations are bound into a
state of peace & friendship. —

(X) The Lt. Col. Don Luis Piernas, commdt.
[illegible] is equally authorized to receive [illegible]
[illegible] functions, and to receive [illegible]
[illegible] your Excellcy. which he
[illegible] will communicate [illegible]
[illegible] all which shall be [illegible]
[illegible] of this [illegible]
[illegible] and [illegible]
your Excell.y will persist in your intention
to occupy this Fort, I am resolved to
defend it to the last extremity, opposing force to
force; and [illegible] in its defence [illegible]
[illegible] God preserve you many years.
Jose Masot

Translation of a letter from the Gov. of Pensacola to the Genl. [illegible] Jackson dated May 24th 1818. — Recd. at Pensacola [illegible]

Pensacola May 25. . 1818. . .

I certify, that on the 23^d^ of May, being in the Bayou which enters Pensacola bay 1½ mile from the Town for the purpose of getting water, I saw, at the Ferry on the road to the Barancas, and on the East side of the Bayou, a number of indians, I think about seventeen in company with four Spanish officers. The Officers were taken across in the boat which immediately returned to convey over the indians and I saw one boat load of them landed on the side next the Barancas. — On discovering us the Indians concealed themselves in the bushes untill the officers were ferried over. —

Richard Brickham

Witness
C. Cross
Lt. Inf

I certify that I was in the boat with Richard Brickham at the place and time mentioned in the above certificate; that I saw about ten indians in company with several Spanish Officers — and that on discovering us the Indians concealed themselves in the bushes. — The Spanish Officers with one indian were ferried over to the side next the Barancas — The boat returned and whether any of the other indians were carried over I do not know, not waiting to see. —

John his X mark Bonner

Witness to Both Certificates
R. Young Ast: To: Eng:

7672

Certificates of Richd Brickham and Jos^h Bonner relative to the conduct of the Spanish Officers at Pensacola towards the Indians near the Barrancas on the 28th of May 1818

Head Quarters
Division South
Pensacola.

May 25 1818

Sir

The accusations against you are founded on the most unquestionable evidence. I have the certificate of Individuals who on the 23d instant at or near the little bayon counted 17 Indians in company of several Spanish Officers—

I have only to repeat that the Barancas must be occupied by an American garrison, and again to tender you the terms offered if aimacably surrendered. Resistance would be a wanton sacrifice of blood for which you & your garrison will have to atone. You cannot expect to defend yourself successfully and the first shot from your Fort must draw down upon you the vengeance of an irritated Soldiery— I am well advised of your strength and cannot but remark on the inconsistency of ~~permitting~~ presuming yourself capable of resisting an Army which has conquered the Indian Tribes too strong especially to your own acknowledgement to be controlled by you. If the force which you are now disposed wantonly to sacrifice had been wielded against the Seminoles

7673

the american Troops had never entered the Floridas

I applaud your feeling as a Soldier in wishing to defend your Post. but where resistance is ineffectual & the opposing force overwhelming - the sacrifice of a few brave men is an act of wantonness for which the Commanding Officer must be accountable to his God —

Sir:

A. Jackson
Maj. Genl. Comd.

Don Jose Masot
~~Governor of Pensacola~~
Comd Baravcas

Genl. A. Jackson
To
Don Jose Masot Gov.
Pensacola May 25. 1818

May - 28th 1818

Description and condition of the public Buildings in the town of Pensacola delivered to Lieut. A L Sands of the United States corps of Artillery agreeably to the articles of Capitulation entered into at the Barrancas, on the 28th of May 1818 between his Excellency the Governor of the Province of West Florida, and Major Genl. Andrew Jackson of the United States Army &c.

One Brick Guard house, with Prisons, 93½ feet long, by 19 feet wide, with a wooden shed in the rear, 33½ feet long by 13½ feet wide, the whole in bad Order—

One Church, two stories high, 85 feet long, 34 feet wide; and 18 feet high with brick floor & foundation the whole out of repair,—

On and around the public square—

Four Block houses 31. feet square, two stories high, with brick floors and foundations, One in good Order, the rest out of repair

Four One story, store houses, 35 feet square, with brick floors and foundations, and double chimneys, the whole in bad Order

One Framed building in bad Order, 15 feet long, by 12 feet wide—

One Framed building, not worth repair, 64 feet long, by 27 feet wide, with a double chimney—

One Framed building, not worth repair 31 feet long, by 21 feet wide, with a chimney—

One Range of Three story Barracks, 156 feet long, by 40 feet wide, the first story of Brick, the uper stories Roof & Galleries, not worth repair with four double chimnies

In the Governors Enclosure

One Three story framed house, in good Order, 41 feet long, by 18 feet wide, the first story of Brick with gallery 8 feet

7674

wide and One Chimney —

One; One story Framed house, in tollarable Order, 58 feet long by 36 feet wide, with a double chimney —

One Framed stable in bad Order, 37 feet long, by 14½ feet wide —

One Framed Kitchen and fowle house ~~fowl house and Kitchen~~ in good Order 30 feet long by 10 feet wide with 1 chimney —

Hospital

One, One story Framed building in good order 48 feet long by 31 feet wide, with two chimneys —

One, One story Framed building in bad Order, in the Hospital yard 35 feet long by 14 feet wide with a bark roof

One, One story Framed building in tollarible Order, in the Hospital yard 42 feet long by 15½ feet wide, with One chimney —

One new Kitchen, in the yard, 17 feet long, by 12 feet wide with One chimney —

One bake House in bad Order, 66 feet long by 32 feet wide with two ovens 12 feet long, in good Order, and Two chimneys

One Framed Kitchen, in bad order, 20 feet long, by 14 feet wide, with 1. chimney

At the East end of the Town —

One Block house two stories high, in good Order, 22 feet square —

One Guard shed of plank, 18 feet long, by 12 feet wide —

One four Gun Battery of Cypress pickets, filled with sand, in bad Order, with plank platform —

At the head of Palifox street

One Block house, two stories high in good Order — 22 feet square —

One Kitchen, in good Order 12 feet long by 10 feet wide, with Bark roof and 1 Chimney —

At the foot of Palifox Street

One Four gun Battery, of Cypress Pickets filled — with sand in good Order with plank platform —

At the west end of the Town —

One Block house two stories high in good Order, ~~two stories high~~ 22 feet square —

One Four gun Battery of Cypress Pickets filled with sand in good Order with plank platform —

Five Centry Boxes, and One flag staff —

(Duplicate)

Received by

(Signed, A. L. Sands Lt Arty
Agent for the U.S.

Delivered by —

(Signed, Jose Zocullo

True Copy from the Original

J. G. Wilson Adjt A&I

7675

May - 28th 1818

Description and condition of the public buildings in the town of Pensacola, delivered to Lieut. A. L. Sands of the U. S. corps of Artillery, agreeably to the articles of Capitulation, entered into at the Barrancas on the 28th of May 1818 between his excellency the Governor of the Province of West Florida, and Major Genl. Andrew Jackson of the U. S. army — Viz.

One Brick Guard house, with prisons 93½ feet long, by 19 feet wide; with a wooden shed in the rear, 33½ feet long, by 13½ feet wide the whole in bad Order —

One Church two stories high, 85 feet long, 34 feet wide, & 18 feet high, with Brick floor and foundation, the whole out of repair —

On and around the public square

Four — Block houses 31 feet square, two stories high, with brick floors & foundations, One in good Order, the rest out of repair —

Four — One story store houses, 35 feet square, with brick floors & foundations, and double Chimnies, the whole in bad Order —

One — Framed building in bad Order, 15 feet long by 12 feet wide.

One — Framed building not worth repair, 64 feet long by 27 feet wide, with a double Chimney —

One — Framed building, not worth repair, 31 feet long by 21 feet wide, with a Chimney —

One. Range of three story Barracks 156 feet long by 40 feet wide — The first story of Brick, the upper stories roof and Gallaries not worth

7676

repair, with Four double Chimnais

In the Governors enclosure

One three story Framed house, in good Order, 41 Feet long by 18 Feet wide, the first story of Brick with Gallarys 8 Feet wide & 1 Chimney —

One — One story Framed house, in tollarable order, 58 Feet long, by 36 Feet wide with a double Chimney —

One — Framed stable, in bad Order, 37 Feet long by 14½ Feet wide —

One Framed Kitcheon and Fowl house in good Order, 30 Feet long by 10 Feet wide, with 1 Chimney

Hospitals

One — One story Framed building in good Order, 48 Feet long, by 31 Feet wide with two Chimnais —

One — One story Framed building in bad Order, in the Hospital yard, 35 Feet long by 14 Feet wide, with a bark roof —

One — One story Framed building, in tollarable Order in the Hospital yard, 42 Feet long by 15½ Feet wide with One Chimney —

One new Kitcheon, in the yard, 17 Feet long by 12 Feet wide, with 1 Chimney —

One Beak house, in bad Order, 60 Feet long, by 32 Feet wide, with two Ovens 12 Feet long in good Order and two Chimnais —

One Framed Kitcheon, in bad Order, 20 Feet long by 14 Feet wide, with One Chimney —

At the East end of the Town

One Block house, two stories high, in good Order 22 feet square

One Guard shed of plank, 18 feet long, by 12 feet wide —

One Four gun Battary of Cypress Pickets, filled with sand, in bad Order, with plank plat forms —

At the head of Talifox street

One Block house two stories high, in good Order 22 feet square —

One C. Kitchen, in good Order, 12 feet long by 10 feet wide, with Bark roof and One chimney —

At the foot of Talifox street

One Block house, two stories high, in good Order 22 feet

One Four gun Battary, of Cypress Pickets filled with sand in good Order, with plank platform

At the west end of Town

One Block house two storys high, in good Order 22 feet square —

One Four gun Battary of Cypress Pickets, filled ~~with~~ with sand, in good Order, with plank plat form

Two Centry Boxes, and One flag staff

Delivered by

(Signed) Jose Triulla

Received by (Duplicate)

(Signed) A. L. Danos Lt Arty
Agent for the U.S.

True Copy from the Original
Hy Wilson Adj 4 Inf.

7677

Exmo Señor

Remito a V.E. con las adiciones convenidas p.r duplicado la capitulacion acordada esta mañana suplicando á V.E. tenga a bien devolverme la que me corresponde.

Dios gue a V.E. muchos años S.n Carlos de Barrancas 28 de Mayo 1818.

José Masot

Exmo Sor D.n Andres Jackson

7678

Letter from Gov. Pensacola
To
Maj. Genl. Jackson
enclosing terms of
Capitulation

Letter from the Govr. of Pensacola
to Maj. Genl. Jackson
enclosing the articles of
Capitulation. — 1818

May 28th 1818

Propositions which the Civil & military Commander of the Province of West Florida submits to His Excell.y Don And.w Jackson General in Chief of the american army in front of St. Charles Fort, Barrancas—

I approved with the exceptions made opposite to each article, and possession given at One OClock A.M. this day.	1st. The Fort of Barrancas shall be surrendered to the Troops of the United States ~~under~~ on the following Conditions—
2nd A roster to be furnished of all the military & civil officers & soldiers of the garrison of Fort Barrancas the troops to march out as expressed in the articles their arms to be stacked at the foot of the glacis & left in possession of the american army until the day of embarkation when they will be restored.	2nd The Garrison of the Fort of Barrancas to be sent to the Havanna at such time as may be convenient to them— to march out with all the honors of War — drums beating, with arms & baggage— To have all royal Stores conducted to said Port of Havanna—
3rd All titles for property legally derived from the crown of Spain will be ~~[illegible]~~ —respected	3d The Comm.dr of the Province the officers of the Corps of Artilly & Engineers, and the officers & Troops shall retain their arms and personal property, and have the

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right to dispose of their property of every kind with all the security that the case may require –

4. Approved, so far as relates to the transportation of the garrison, and the Spanish rations allowed provided they do not exceed the American ration in which case the American ration only will be allowed. –

4th The Garrison shall be transported on account of the United States, under the inspection of an officer of the Royal Forces – and shall receive, during their passage, each grade, the same rations allowed by the regulations of Spain –

5. Approved. an estimate of the necessary transportation to be furnished agreeably to established usage

5th Sufficient means of transportation shall be allowed to carry away personal property – the papers & other property belonging to the Commandant; and particularly the papers belonging to the Governor's Secretary in Pensacola – and to those of other public Functionaries.

These papers shall not be submitted to any inspection whatsoever,

6th The sick & infirm, or such as may become so before the sailing of the Forces for Havanna, shall be maintained by the United States and shall receive the same allowance and safety allowed to this Garrison — such of the sick as can, shall be embarked with the rest of the Troops, and such as cannot, shall remain in the Spanish Hospital.

6. Approved.

7th The Garrison at Pensacola together with all Royal Stores therein shall be respected in the same manner as the Garrison of Barrancas, and shall be conducted to the said Port of Havanna in common with this Garrison, and all the effects to them belonging.

7. Approved. an estimate of the necessary transpor-tation, to be furnished & included in the estimate for the garrison of Fort Barrancas. -

8th The United States shall keep a regular account of the subsis-tence furnished by them to the Royal Officers & troops, of all kinds, and to supply all deficiencies that may occur, which shall ~~[illegible]~~ be determined by the

8. An Inventory of the provisions in possession of the Spanish commiss-ary to be forthwith furnished. - The rations allowed

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Spanish Governm & the United States—

subject to the limitation in Article 4th—

9th All live Stock now at the places, Pensacola & Barancas, shall be taken to their first place of destination and served out as rations—

9. Approved.

10th Two Officers shall be named by the respective forces for the purpose of taking an Inventory (in duplicate) of all & singular the Artillery & munitions of War in Pensacola & Barrancas.

10. Approved. Maj. Peters of the Artillery appointed on the part of the American Government.—

11th Persons & Property shall be respected. Concessions & Sales of Land, made by competent authorities, shall be guaranteed and respected—

11. All titles legally derived from the crown of Spain prior to this date, guaranteed & respected.

12th The Officers, before named for taking the Inventory of the property, shall also take into their Estimate all public Buildings and the Condition

12. Approved & Lieut. Sands of the Artillery appointed on the part of the American government.—

May-28th 1818

	in which they are found—
13. Inadmissible, so far as it regards transportation being allowed to the same lieu of those officers not present. & servants not attending upon the persons of the officers & their families. Those individuals disposed to remain in Florida will be respected & protected in all their civil & personal rights, and if not embracing the transportation allowed at the present period they must furnish their own at a future period.—	13. The Military Officers shall be allowed to take with them on board of the vessels destined for their transportation, their Wives Children & Servants as well as all & singular their effects— The american authorities shall afford them protection, in common with the rest, and they shall also be transported at the Expense of the U. States—
14. Approved & Lt. Parkhurst. Quartermaster of Artillery appointed on the part of the American Government	14. An Inventory to be taken of the Dpm. Generals Stores on the same principles as that of the Artillery—
15. Approved.—	15th The Officers & Soldiers of this Garrison, shall be taken to Pensacola, on the same principles as it is meant they shall be removed to Havannah—

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17. Approved, his name to be entered in an article & the Spanish Government guaranteeing that he never returns to the Floridas. —	17. The Chief of the Alabama with his family now in this place — shall be included in the present Capitulation & removed to Havanna —
18. A Free toliration to all religions guaranteed.	18. The free exercise of the Catholic Religion, with its immunities, shall be respected —
19. Approved, & the restoration made, under the conditions expressed in Genl. Jackson's communication to the Governor of Pensacola the 23rd. May —	19. This Capitulation shall be so construed as to embrace all points, touching this province, contained in the late official correspondence on that head.
20. The above articles to be interpreted agreeably to the literal & expressed meaning. —	20th. Should any misunderstanding take place respecting the meaning of the aforegoing articles, they shall not be so construed as to be prejudicial to the Spanish garrison.

21. Approved. —

21. The present Capitulation shall be signed & sealed by the American Genl. and the Commt. of the Province before 5 O'Clock this evening, or sooner, in duplicate —

Fort St. Charles, Barrancas
the 28th May 1818 at
7 O'Clock in the morning

Signed Jose Masott

Signed
Andrew Jackson
M. Genl.

Additional articles which shall be understood to have the same force & effect as the aforegoing —

1. Approved.

1. The name of the Chief of the Alabamas, is Opayhola, and recognized as ~~composing~~ included by the Governor of this province amongst the rest of the forces of Florida —

2. approved.

2nd. Should any of his Catholic Majesty's vessels be destined for this Port with provisions

7683

or Money, they shall be suffered to enter this port with the same freedom extended to Spanish merchantmen —

St. Charles of Barrancas the 28 May 1818. at 5 o'Clock in the afternoon —

(Signed) Jose Masot

Camp near Barrancas
May 28th 1818
(Signed) Andw. Jackson
Major Genl. Comdg

Translations of the Articles of Capitulation for Pensacola & Barrancas.

May - 29th 1818

Exmo Señor

Habiendo pasado á los Almacenes de este Fuerte el Guarda Almacen para hacer entrega de los efectos que contienen con arreglo al Articulo 14 de la Capitulacion hecha y firmada ayer; manifestó el oficial comisionado por V.E. que solo podia hacerse cargo de los efectos que le fueren util, y no de los demas; y no siendo lo estipulado, espera que V.E. se sirva prevenir al dho oficial los reciba como los demas.

Dios gūe á V.E. muchos años. Sn Carlos de Barrancas 29 de Mayo de 1818.

José Masot

Exmo Señor Dn Andres Jackson.

7686

Don Jose Masot

To

Genl. Jackson

25th May 1818

Govr. Pensacola

May - 29th - 1818

Exmo Señor

Conforme á lo acordado en la capitulacion acordada el dia de Ayer, adjunto paso á manos de V.E. lista á Nombre como pide de los oficiales y tropa que guarnecia el Fuerte de Barrancas, como asimismo los empleados de Real Hacienda en cuyas relaciones no se hallan comprendidos los existentes en Panzacola

Dios gue á V.E. muchos años.
Panzacola 29 de Mayo de 1818

José Masot

Exmo Señor Dn Andres Jackson.

7688

Letter from the Governor of Pensacola inclosing the Rosters of the Garrison of St Charles Barrancas. Surrendered agreeably to the Articles of Capitulation of the 28th May 1818

Letter from the Gov: of Pensacola inclosing the Rosters of the Garrison of St Charles Barrancas, surrendered agreeable to the articles of capitulation of the 28th of May 1818. to the American troops.

Chambers 28th May 1818

Present their Honors

Robert Wynn
William Bevin
& James Flemming } Justices

The court met for the purpose of hearing Obed Wright, who was brought up before them upon a writ of Habeas corpus which is as follows

Georgia
Baldwin County } To any Justice of the inferior court

The petition of Obed Wright sheweth that he is detained in confinement by Major Davis an Officer in the united service and he therefore prays the Benefit of a Habeas corpus to enquire into the cause of his confinement and detention

(Signed) Seaborn Jones
Atty for petitioner
28th May 1818

Georgia
Baldwin County } To Major Davis an officer of the United States service

It appears from the petition of Obed Wright that he is now kept in custody by you and he having prayed a writ of habeas corpus

You are therefore hereby commanded that you bring before me at the court house of the county by the hour of Eleven o clock of the forenoon of the day the Body of the said Obed Wright by whatever he may be known with

7690

with you together with the cause of his commitment and detention that he may be dealt with according to law. Fail not and have you then and there there this writ

Signed { Given under my Hand and Seal of 28th May 1818 / Wm Bivin J.I.C. (Seal)

Habeas corpus by the constitution of the united states and of the state of Georgia

Milledgeville 28th May 1818

I have the said Obed Wright in court together with the cause of his commitment and detention

Signed { John M. Davis / Ast. Insp. Genl. / U S Army

Major John M. Davis assistant inspector Genl. of the united states army in obedience to a writ of Habeas corpus this day served on him having produced the Body of said Obed Wright mentioned in the Habeas corpus before the court together with the cause of his confinement and detention

and the court on consideration deeming that no sufficient cause is shown for his detention

on Motion

Ordered that he be discharged forthwith

Signed
Robert Wynn
William Bivin
James Flemming

Georgia
Baldwin County } I Thomas H Kenan Clerk of the inferior court for said county do hereby certify the preceding pages contain a true copy of the proceedings on the trial of Obed Wright in consequence of his confinement and detention &c

(Seal)

Given under my hand and seal this 23th day of May 1818

Signed Thos. H Kenan
Clk Inf. Court

7691

Proceedings of the
Court in the case of
Capt Wright

Milledgeville 29th May 1818

Sir

In pursuance of Majr. Genl. Jacksons order to me of the 7th inst a copy of which is herewith enclosed —

I arrested Captn. Obed Wright of the Geo Militia in Dublin on the 24th Inst. and brot. him this far on my way to Fort Hawkins when a writ of Habeus corpus served on me, by which capt. Wright has been released from confinement

I do now hereby call on you to have captn. Wright delivered to me that I may be able to keep him in confinement untill the will of the president of the U S be known

I have the Honor to be
very Respectfully
Yr. Obt. Servt.

His Excellency
William Rabun
Govr. of Georgia

Jno. M. Davis
Asst. Insr. Genl.

7692

Maj. Davis's
letter to Gov of
Georgia

Fort Hawkins. 30th May 1818

Sir

In pursuance of an order from Major Genl. Andw. Jackson dated 7th May 1818 (which has heretofore been enclosed to you) I came up with captn. Obed wright of the Georgia Militia in dublin on the 24th. inst.

I arrested him and brot. him on as far towards fort Hawkins as Milledgeville where the civil authority interfered and discharged him. a copy of the proceedings is herewith enclosed, together with a copy of my letter to the Governor of Georgia, and wrights arrest

I have notified Major Genl Jackson of the Circumstances —

I Have the Honour to
be very Respectfully
Your Obedient Servant

Jnom. Davis
asst. Ins. Genl.

The Honl.
J C Colhoun
Secy. War

7693

Majr Davis's letter
to Secy. War
D

Sir Fort Hawkins 30th May 1818

By express I hasten to communicate to you, that in pursuance of your order to me of the 7th Inst. I came up with Captain Obed Wright of the Georgia Militia, in Dublin on the 24th Inst. I arrested him, and brought him on with me as far as Milledgeville, where the civil authority interposed and discharged him. — A copy of the proceedings is herewith enclosed to you — I also enclose you copies of my letters to the Secy. War, & Govr. of Georgia, together with a copy of your order to me (which you kept no copy of) — and a copy of Wright's arrest. —

So far as I have had an opportunity of discovering, the minds of the Georgians is much agitated on this occasion and many of them warmly advocate Wright's conduct, I had to brook several insults while I had him in custody — The General impression of the rable was that Wright would be delivered up to the Indians — The enlightened class new better, & said that you were incapable of doing such an act — I did not let the court know the extent of my orders — I only shew my first order, which directs him to be delivered over to the military authority at Fort Hawkins there to be kept in close confinement untill the will of the President be known. — The Govr. of Georgia is absent at present, whether he will on his return order him to

7695

be delivered over to me on my application, or not — is uncertain, I dont expect he will —

I deem it necessary & therefore have communicated the facts as herein related to the Secy. War. I have enclosed him a copy of the proceedings of the court. and a copy of Wrights arrest — and notified him that I have communicated the circumstance to you —

I have the honor to be
very Respectfully your
Obt Servt
Jno. M. Davis
Asst. Ins. Genl

Major Genl Andrew Jackson
Comg Division of the South

From Maj: Davis
to Genl Jackson

Adjt. & Insp. Genl. Office
30th May 1818.

Sir,

It appears by the monthly returns of the 4th Infy that several subalterns have been long absent without leave. I have to request that you will transmit a report relative to all such delinquents that they may be submitted to the War Department to be droped from the register.

I have the honour to be
Sir,
Your obt. Servt.
D. Parker
Adj. & I. Genl.

Colonel
R. Butler
Adjt. Genl. S.D.

7697

Gen. Parker to [illegible] [illegible]
requiring a [illegible] [illegible]
to the delinq[illegible] [illegible]
of the 4th Reg. [illegible] to be accepted
from the [illegible]
Dated May 30th 1813

Adj.t & Insp. Gen.l Office
30th May 1818.

Sir,

Your letter of March 26th enclosing a list of appointments by the commanding General was not received untill this morning.—

Those vacancies had all been filled by the President & Senate as you will have been advised by the General order of April 30th & the new Register.—

When the Secretary of War returns to this place which probably will not be for several weeks I shall lay your letter before him and write you again on the subject.—

I have the honour to be
Sir,
Your Ob.t Serv.t
D. Parker
Act. Adj. Gen.l

Colonel
R. Butler
Adj.t Gen.l S. D.

7699

Gen. Parker to Col. Butler
Dated May 31th 1818—
relative to the Appointments
made by Gen. Jackson on
the Genl. Camp— being previously
filled, but his Letter to be
submitted to the Sec. War
on his return to Washington

40 Miles from Madisonville May 30th. 1818

Dear General

I embrace the present opportunity (the only one I have had since my departure from New Orleans) by a private Gentleman to notify you of my movements, & present situation, with the detachment entrusted to my command. I would have written immediately on the adjustment of my business at New Orleans but for the circumstances of the recent departure of the Mail Just at that time & the necessity of our departure for Tennessee. On the arrival of the two Schooners at New Orleans I presented your letter to Genl. Bissell the commanding officer, (Yours was open to me) He seemed to evince every disposition on his part to facilitate the returning of the detachment to their homes but at the same time informed me that the funds in the Qr. masters department were entirely exausted & no means left to

to produce an augmentation thereto in such Manner as would be usefull to him, but refered me to D Hunt the Act D. Q Master Genl Mr Hunt informed me he had no Horses nor Money to buy any. nor could he furnish me with the Means of Transportation for any part of the detachment except the wounded & sick, to comply impliciltly with your order I was reduced to necessity of Marching the convallescents without a single pack Horse or other Mode of Transportation, or I must purchase & draw on the department at Nashville, which last I adopted. I confidently hope that the claims will be recognized when the reasons which opperated on me are made Known to you, which I pledge myself to do to you personally on sight. that business being adjusted I applied to the contractor, he positively assured me that their Rations were ready & he would deliver them on my requisition

but the difficulty of transportation again occurred, he proposed as a remedy the Equivalent, but not at the contract price it being 15 Cents, the utmost he would do was to allow me 11 Cents as the Equivalent for Ration which proposition I was obliged to comply with, no provision was made by the Quarter Master for Forage but an order was given to him by Genl S Bissell to pay to me the Sum of $50 by way contingencies which order was complied with this Sir is precisely my situation, some friends advanced money to me on my own private account which I am in hopes will take me through Economically otherwise I must have resorted to my Interest with the publick Functionaries at Nashville in more Instances than one, the detachment left this place 4 days ago

7702

under the comman of Lieutenant Hunter a descent, & Industrious, young officer, Myself being confined by sickness of which I have not yet recovrd, I shall however leave this as soon as I can Mount My Horse & endeavour to overtake them, My indisposition was so violent as to confine me to My bed from which I have Just risen, the bearer can Inform you of My present prospects &c

I am dear Genl. with respect

Your Obdt. Servt.

Maj. Genl. Jackson

Geo. West

Majr. Comdg.

detachment

T.V.

Nashville May 1818

Genl. Andrew Jackson & Lady

Bot. of James C. Martin

1 Caddy Gun powder Impl. Tea	$10.50
1 pr. Jackson full dress mor. Shoes	$3.00
5 Yds Seersucker @ 9/	7.50
	$21 00

7705

Wm Jackson

$21: 00
at with
James Martin

Duplicates of the Inventory
of public property turned over
by the Spanish Authority on
taking possession of West
Florida in May 1818.

7706

Executive Department Georgia }
Milledgeville 1st June 1818. }

Sir,

I have lately had the honor to receive yours of the 7th ultimo, founded on a Communication from Genl. Glascock, relative to an attack recently made on the Chehaw Village. - Had you Sir, or Genl. Glascock been in possession of the facts which produced the affair, it is to be presumed at least, that you would not have indulged in a strain so indecorous and unbecoming. - I had on the 21st of March last, stated the situation of our bleeding frontier to you, and requested you in respectful terms, to detach a part of your overwhelming force for our protection, or that you would furnish supplies, and I would order out more troops, to which you have never yet deigned unto reply. - You state in a very haughty tone that "I as Governor of a State within your military division, have no right to give a military order whilst you are in the field". - Wretched and contemptible indeed, must be our situation if this be the fact. - When the liberties of the people of Georgia shall have been prostrated at the feet of a military despotism, then, and not till then, will this imperious doctrine

7708

be tamely submitted to - You may rest assured, that if the savages continue their depredations on our unprotected frontier, I shall think and act for myself in that respect. - You demand that Capt. Wright be delivered in irons to your Agent Major Davis - If you Sir, are unacquainted with the fact, I beg leave to inform you, that Capt. Wright was not under your command, for he had been appointed an officer in the Chatham County militia which had been drafted for the special purpose of assisting Genl. Gaines in reducing Amelia Island, that object having been accomplished before our militia had taken the field, Genl. Gaines as soon as their organization was compleated, assumed the right to order them to the frontier, without even consulting the State authority on the subject. Capt. Wright at that time being in a state of debility failed to march, and of course was not mustered into the Service of the United States - He however followed on to Hartford, where finding himself not likely to be received into the service of the United States, tendered his services to command the contemplated expedition, which were accordingly accepted - Having violated his orders by destroying the Chehaw Village instead of Hopaunee's & Phelemmee's towns, against which the expedition was directed - I had previous to receiving your demand, ~~I had~~ ordered him to be arrested, but before

he was apprehended agreeable to my orders, he was taken by your Agent, and afterwards liberated by the Civil authority - I have since had him Arrested and Confined, and shall communicate the whole transaction to the President of the United States, together with a Copy of your letter. -

I have the honor to be &c.

Wm Rabun

Major General
Andrew Jackson
United States Army
Creek Nation. -

7709

From Governor Robins

dated 1st June 1818

Fort Montgomery June 2nd 1818.

I certify that between the 5th. and 7th. of May 1818. whilst at Fort Gadsden on the Applachicola river, I was informed by Mr. Larua and Benneto Gapia both citizens of and direct from Pensacola, that at the time of their departure thence, there were 500 Indians in and about Pensacola. — and I further certify, that on my arival at Pensacola on the 23rd. of May, I was informed by Mr. Steets & other citizens of that place that on the 22nd. which was the day before my arival, Holmes (a noted redstick) with his party, had left Pensacola, to proceed to the Chocktawhatchy for safety having been for several days previous in town. all which I certify on honor.

signed
Witness

William S. Fulton
Private Secretary
Comdg. Genl.

signed
Wm. Hambley.

7710

copy of certificate
of Wm Hambley

Fort Montgomery June 2nd 1818.

Maj. Genl.
Andrew Jackson

You will deliver to Mr David Tate, a negro girl named Eliza or Liz - taken at Fort Mims, and recaptured by you in the creek nation.

witness
William H. Sutton

Susannah Stiggins

Mrs Jackson will deliver or cause to be delivered to Mr David Tate, or the bearer of this order Lisa, a small yellow girl, brought by me from the creek nation in 1814, the property of the above named Susan Stiggins, now Susan Sizemore - and take the receipt for the delivery on this order

Andrew Jackson

Ft Montgomery
June 2d 1818-

7711

Recevd of Mrs Jackson a negroe girl named
Lizar the porperty of Susannah Higinsley
pr me Samuel Edmunds.

October 28th. 1818

Department of War, June 2d. 1818.

Sir,

Your letters of the 8th of April, one without date from fort Gadsden, and of the 26th of April, are received. The President of the United States, and the Secretary of War, are out of town. The former will return about the fifteenth instant, the latter not before the middle of next month. So soon as the President returns, your dispatches, together with your order to major Davis, commanding the arrest of capt. Wright, and a copy of your letter to the governor of Georgia, in relation to the horrid and atrocious destruction of the Chehaw village, will be laid before him. In the mean time, I am advised to communicate the "opinion, that the trial of capt. Wright by court-martial, is decidedly preferable to a civil prosecution in the federal court, — the latter being the mode suggested to this department by the agent of the Creek nation, as the one most agreeable to public

opinion

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opinion in Georgia. The trial by jury in the federal Court, would be a mockery, because it is well known, that that court has refused cognizance of similar cases in the state of Georgia, on the ground that it does not possess jurisdiction. It is, therefore, left to you to institute such proceedings in the case, as, in your judgment, you may deem best. Would it not be well to include in the arrest and trial, all officers of the grade of captain, who accompanied Capt. Wright?

I have the honor to be,

Your most Ob. Servant,

C. Vandeventer

Major General
Andrew Jackson,
Nashville,
Tennessee.

From C Vandeventer
relative to the arrest
of Wright –
June 2d. 1818

June 1818 –

Upon the arrest of Capt. Wright for destruction of Chehaw Village.

Captn. Gadsden will please answer this letter, remarking that the reason why none but Captn. Wright was named in the order of arrest, was that none other of the officers names were known, & it is now submitted for consideration whether the orders of a superior officer, would not excuse, if not justify, a subordinate officer in obeying an order of his superior, known to the inferior to be illegal. Inclose the report of Major Davis shewing Wrights liberation by habeas corpus issued by three Justices of the peace &c, and Major Davis appeal to the Governor with the expression of my pointed disapprobation of this illegal interference of the civil with the military authority & express my perfect hope that the Executive of the U States, will have a thorough investigation of this whole subject, that it is absolutely necessary for the safety of our frontier and that Governor of States may be taught to know that it is Treason against our Government to levy war against any tribe under the protection of the U States, and over which the sovereignty of the union extends – The mode of trial recommended by the agent, is truly ironical & popular with of Georgia being the basis of the recommendation of his recommendation ought to be spurned by the Government when – Justice to a much injured people require the exercise of energetic measures. A. J

June 2nd 1818

(Copy)

From Christopher Vandeventer Chief Clerk

Department of War, June 2. 1818

Sir,

Your letter of the 8th of April, no without date, from Fort Gadsden and of the 26th April are received.

The President of the United States and the Secretary of War are out of town. The former will return about the 15th instant, the latter not before the middle of next month. So soon as the President returns, your despatches, together with your order to Major Davis commanding the arrest of Capt Wright, and a copy of your letter to the Governor of Georgia, in relation to the horrid and atrocious destruction of the Chehaw village, will be laid before him. In the mean time, I am advised to communicate the "opinion," that the trial of Captain Wright by Court Martial, is decidedly preferable to a civil prosecution in the federal Court, the latter being the mode suggested to the Department by the agent of the Creek nation, as the one most agreeable to public opinion in Georgia. The trial by jury in the federal court, would be a mockery

7714

because it is well known, that that court has refused cognizance of similar cases in the State of Georgia, on the ground that it does not possess jurisdiction. It is, therefore left to you to institute such proceedings in the case as, in your judgment, you may deem best. Would it not be well to include in the arrest and trial, all officers of the grade of Captain, who accompanied Capt. Wright?

I have the honor to be &c

Major General
Andrew Jackson
Nashville
Tennessee

Christopher Vandeventer
Chief Clerk
To
General Jackson
June 2. 1818

June - 3rd, 1818

Received of Don Fillippe Prieto, agreeably to the articles of capitulation entered into at the Barrancas on the 28th of May 1818. between his excellency the Governor of the Province of West Florida and Majr. Genl. Andrew Jackson of the american Army -

Sixteen Barrels of Flower & eight sheets, large Paper

Pensacola
3d. June 1818

(Duplicate) (Signed) A S Sanos Granby
Commissr. for the U.S.

True Copy from the Original
J. G. Wilson Adj 4 Inf

7716

Fort Montgomery

The United States

To James C Bronaugh Dr

1818 June 4th } To expences incurred in proceeding to St. Stephens by order of Major Genl. Andrew Jackson with a guard & returning $25-25 — $25-25

I certify upon honor that the above amount was actually expended by me in performance of the above duty

J. C. Bronaugh
H. Surg: U. S. Army

Recd. this 4th June 1818 of Major Genl. Andrew Jackson Twenty five Dollars & Twenty five Cents in full of the above account — (Signed Duplicates)

J. C. Bronaugh
H. Surg: U. S. Army

7722

J. C. Bronaugh
Dup: receipts for
$25-25

H. Qrs. Fort Scott June 6th 1818

General,

I arrived at this post on the 30th of last month after a voyage of six days and six hours, on board the Barge Peacock.

By Lieutenant Keiser, who had arrived a few days before me, I learned, that at the time of his departure from Fort Hawkins, on the 19th Colonel Brearley was at that place waiting for orders, and stated that he had received no official notice to attend the court.

I had confidently believed that the proper notice for the Colonels attendance was forwarded from the Adjutant Generals office: The Division order for assembling the court had placed him beyond my controul, until duly released from his arrest. But even should the Adjutant General have omitted sending the order or notice, I should have supposed that Major Mason's verbal statement of the time and place of holding the court ought to have been sufficient to an officer who had not been ordered but merely indulged with leave of absence from his Corps, until a court could be conveniently assembled for his trial; which he professed to be solicitous should take place without delay.

To obviate any future plea of the want of notice, I detached Lt. Keiser on the 31st ult, with instructions to repair to Fort Hawkins, to deliver the Division order and acting Judge advocates call to Colonel Brearley, and to accompany him to this place forthwith. He has intimated to Maj Cutler, verbally, that he cannot come to trial without the testimony of the agent of the Creek nation, and some citizens at Fort Hawkins. The interrogatories forwarded by Major Mason

7723

have -

have been returned, with a verbal message from Colonel Brearley that he must decline answering them until his trial is over.

As regards taking the testimony of the agent, and others, not subject to Military authority, I conclude that if he deemed it important to his defence, he would have made a written communication to the Head Quarters of the Division upon the subject.

With respect to the Interrogatories, they were founded wholly upon statements which he had voluntarily made; and it remains to be explained why he should hesitate to verify upon oath, facts thus communicated, touching the violation of a law which every public officer should hold to be morally and politically sacred.

Colo Hayne and Lt Lear, reported to the adjutant Generals office as witnesses, on the part of the prosecution, have neither of them arrived. Colo. Hayne I understand is deemed by the accused to be one of his most important witnesses.

The chief, Yellow hair and his warriors marched in the latter end of last month towards St Marks in pursuant to your order, to collect the horses left on the route by the Army. They promised to return in about two weeks. Dan'l & Sam'l Perryman, one white man named Carrol, with five or six Indians returned on the 2nd instant from a cattle hunting excursion to Mickasukee. They brought with them about forty head of cattle, and three horses. They state that they found a fresh trail of about thirty Indians, a few miles on this side of the town, leading up the Country and another trail where a drove of cattle with some few horses had just passed towards Suwanney, another friendly Indian reports that he saw a small party near Tallahassee,

and

and that they looked very crop. I have heard of no other Seminoles in this quarter since your departure. McQueen and his party are supposed to be at Suwanney, planting corn.

The ship Fedelia with 4250 bushels of corn and some medicine & Hospital Stores, has arrived at the enterance of the bay. The Ship was reported to be too large to get nearer than 18 miles from the mouth of the river. Her arrival at the Bay was reported to Major Twiggs Commanding at Fort Gadsden, on the 29th May. The Boat support has been sent to lighten the ship.

Lt Colonel Clinch reports to me from Raleigh that he has been instructed by the department of war to remain on the recruiting service. I enclose a Copy of his letter. He has been furnished with the Division order requiring his attendance as a member of the General Court Martial, and Court of Inquiry. Maj Dinkins has not yet arrived. By a letter from Major Hogan, dated at Milledgeville May 24th I learn that Paymaster Broome had left Augusta for the Town of Washington "on a party of pleasure". I shall endeavour to have him here in time to account for his neglect of duty before the General court martial.

most respectfully
Your obdt. Servt.
Edmund P. Gaines

Major General
Andrew Jackson
Commander in Chief
Division of the South.

7724

and that they looked very sharp. Have heard of no other Indians in this quarter since your departure. McQueen and his party are supposed to be at Tunnaway planting corn.

The ship [illegible] with 1250 bushels of corn [illegible] and some medicine & Hospital stores has arrived at the entrance of the bay. The ship was reported to be too large to get nearer than 18 miles from the mouth of the river. Her arrival at the bay was reported to Major Twiggs commanding at Fort Scott, on the 29th May. The boat supposed has been sent to lighten the ship.

[illegible] reports to me from [illegible] that he has been [illegible] that [illegible] was to remain on the recruiting service. I enclose a copy of his letter. He has been furnished with the [illegible] to [illegible] in attendance as a member of the General Court Martial [illegible] inquiry. Mr. Dinkins has not yet arrived. [illegible] letter from Major Hogan, dated at Milledgeville May 26th [illegible] has left Augusta for the Town [illegible] on a party of pleasure. I shall endeavour to [illegible] account for his neglect of duty before the court martial.

Most Respectfully
Your Obt. Servt.
Edmund P. Gaines

Major General
Andrew Jackson Com.
Commanding in Chief of the South.
Division

This letter enclosing a copy of a letter from Col. Clinch to Genl. Gaines dated May 1st 1818 was recd. thro' the Post Office at Pensacola on the 15th August 1821.
J. C. Bronaugh
[illegible]

7724

Head Quarters 8th Dept
New Orleans June 18th 1818

Department order

Brigr Genl Bissell is charged with recruiting for the 1st Regt of Infantry within the States of Ohio, Indiana, Illinois, & the Territory of Missouri. He will repair to his District, select his Head Quarters, and push the service with as much rigour as possible

He is invested with authority previous to entering upon this duty to make the proper Detachments for this service from the first Regt. of Infantry. Capt Gray commanding the Depot at Cincinnati Ohio will report to General Bissell and receive his instructions

General Bissell will make Quarterly returns to the Head Quarters of the Department and conform in all respects to the regulations of the War Office

Sign'd E W Ripley
Major. Genl Comdg
8th Dept

True Copy
[illegible]
Capt 1st Infty

7730

Department Order
Gen. Ripley &c.

Dept Orders 5th May 1818

Copy

Extract of Dept Orders

Head quarters 8th Dept
New Orleans June 10th 1818

Department orders

Brig. Gen. Bissell is charged with recruiting for the 1 Regt of Infantry within the States of Ohio Indiana Illenois & the Territory of Missouri; He will repair to his District; Select his head quarters; and push the Service with as much vigour as possible.

Sigd. E W Ripley
Maj Genl Comdg.
8th Dept

7732

Extract
Dep. order 10th June 1816

Camp Montgomery
10th June 1818.

Sir,

I this moment received by express the enclosed packet from John M. Davis asst. Ins. Genl with instructions if you had left this post ~~it should be~~ to forwarded it with the least possible delay. As there was no public horse at this post & the express who brought it having lost his horse, I have hired Mr Mimms at the rate of four dollars per day until he overtakes you & three dols pr day on his return; be so good as to have me informed the distance from this place where he overtakes you as I am pay at their rate of forty miles pr day on his return. ~~Lieut~~ Booth of the Artilery who Col. Gibson Qr Master Genl sent to Orleans for funds arrived at this post the evening you left here without any, there was none at Orleans; I have made a

7733

requisition on the Col for ten thousand: The Col had not arrived at Mobile when Lieut Booth left there – wishing you the recovery of your health & a pleasant march

I am Sir with
much respect
your obt humble
Servt
J Maul Lieut
Act A D 2 M Genl
Comd

P.S Col King left Montpellier this Morning for Pensacola –

From Major Davis
relative to the
arrest of Capt Wright
10 June 1818

Head Quarters
N. Orleans June 11. '18

Major Genl A. Jackson

Dear Sir,

I have returned from Washington after a long passage.

My papers are on board the ship which is not yet up - So soon as they arrive I shall give you a detailed report.

Recruiting is extended for your division to every part of the Union - and so ~~with~~ respon-

7736

cally with Genl. Brooks. I assumed the responsibility of organizing parties at the North of the Officers not on duty; for this Department.

My motive for doing it was to render that service at once efficient.

Your being ~~then~~ engaged in active operations at the time and my great distance from you will I hope be received as my apology

Very respectfully & sincerely
I have the honor to be
Yr mo. Ob Servt
El. W. Ripley

On Service

Major General A. Jackson
U. S. Army
Nashville
Tenn

NEW ORLEANS
JUN
14

Genl Ripleys
letter 11th April
1818. reporting h[illegible]
return to New Or[illegible]
to be handed to th[illegible]
adjutant G[illegible]
office

Head Quarters Fort Scott Ga
June 14th 1818

Sir

By a letter which I have received from Captain Mark Hardin, late Assistant Deputy Quarter Master General, I learn that his accounts for corn purchased and issued to officers at Camp Montgomery in the early part of the last summer, have been rejected by the Auditor, upon the ground that Montgomery was a permanent Post at which officers were not intitled to Forrage.

Captain Hardin having acted under my orders in making the purchase and issues, I think it my duty to address you, and request your interposition, and final decision in the case.

It is not my purpose to question the right of the Department of war to determine that, officers intitled by law to Forrage or money in lieu thereof, shall not be allowed, at all times when on duty, to receive whenever they may ask. Leaving the law of congress, therefore, out of the question, I shall rely upon the law of the Department of War, and the particular circumstances under which the forrage was ordered, to shew that it was regularly issued, and that the rejection of the Vouchers was wrong.

The Army regulations (Page 102) provide that officers will be "allowed to draw forrage in kind, when in actual service, in the "field, where their duties require them to be mounted, for the number "of horses actually kept in service, not exceeding the following rates"

The regulations moreover provide that,
"forrage will not be drawn in kind by officers stationed
"at any permanent garrison or Post."

This last clause of the regulation I apprehend must admit of an exception in favour of officers serving "in the field where their duties require them to be mounted" otherwise it must in many cases preclude the practical effect of the preceding part of the regulation: for it is a fact within my recollection

7745 that during the defence of more than one Post, officers have been obliged to

take the field" on horse back, almost every day for several weeks in succession and yet they were stationed at what might be deemed a permanent Post— limiting the rule of allowance therefore to the last member of the regulation, they would not be entitled to forrage through "on actual service in the field, where their duties required them to be mounted."

The operation of the principle assumed by the Auditor, should our posts on this frontier and in the Wilderness be considered as permanent, would, under any circumstances, tend to prohibit the allowance of forrage: because at a Permanent Post the issue is not authorized— and in the Wilderness, where the issue is authorized, there is little or no forrage to issue. This dilem-ma was severely exemplified in the late expedition against the Seminola Indians. The consequence was that many horses (one of my own with nearly an hundred others) died of hunger. And at the close of the expedition I am of opinion that the horses of officers and others of the Army generally, could not have been estimated at one fourth of their previous value, nor have performed a fourth of their usual services. It is indeed impracticable to have horses regularly foraged during the Winter or Spring, in this Wilderness, except at, or in the immediate vicinity of a Military Post, without an expense of transportation beyond the bounds of reason or belief.

I am not aware of the existence of any regulation or order authorising the conclusion that the place called Fort Montgomery could be considered as a permanent Post. It was in fact, during the last year, but a temporary Cantonment, exhibiting in no part, works of defence, Barracks, or other build-ings calculated to give it a permanent character. It is near twenty miles, within our limits, from the Perdido, the place most likely to be selected for a work of defence, should any be deemed necessary in that quarter.

The order, of which I enclose a copy No 1. requiring me to repair to the vicinity of Fort Montgomery, authorised the conclusion that the assem-blage of troops there was intended for a particular service elsewhere— and this opinion was strengthened by the circumstance of that Post not being named in the Contract for supplying rations, commencing June 1st 1817.

But even should I be mistaken in all the foregoing views which

I have taken of the subject, the order from Major General Jackson dated the 22d of April 1817. of which I enclose a copy No. 2, doubtless made it my duty to hold my command ready for action – hence it was my duty to require officers to be mounted, and their horses forraged. Should it be decided that officers when required to be mounted are not to be allowed to draw forrage at the temporary posts upon this frontier, distant as they are from established settlements or places of trade, few officers here would be able without private fortune, to remain six months in service, excepting on foot. Their pay and emoluments at best afford them but a scanty support – few field or Staff officers get more than an ordinary clerk in a respectable compting house in New Orleans, and other large cities – and the meritorious Captain – one of the most important grades of an army, – is allowed a pittance, below the pay of a tolerable mechanic, or a country tape seller – and yet the passion for curtailing seems still to predominate.

At this place and for two hundred miles around, in every direction I am convinced an officer could not at this time get his horse forraged for forty Dollars per month, without having previously made arrangements for obtaining corn from New Orleans, by water – whereas officers stationed in many places in the western country particularly would not incur an expence of more than Eight or ten dollars a horse, per month – the rule then cannot be just.

I have endeavoured to secure to the officers of my command only what the law allows them, and to ~~dispise~~ disprove the unjust accusation, found in the auditors decision in the # case of Captain Hardin, that I have allowed the issue of supplies not sanctioned by law.

The Hon.ble
John C Calhoun
Secretary of War

Your most obedient Servant
(Signed) Edmund P. Gaines
Major Genl. Comg.

Certified
Jn. Glassell
a. a. a. Gen.

7746

Copy of a letter from
Gen. Gaines to the Secty
of War —
June 14th
1818
Respecting Forage &c

a letter to the Secy of War
on the importance &
absurdity of the regu-
-lations alluded to pro-
-ticularly on the Southern
Frontier.
attended to

Extract of a Letter from Robert Brent Esqr. dated 15th. June 1818.

You will discover from my letter of the 20th. April 1818 to General Jackson, a copy of which is herewith enclosed, that an additional sum of 50,000 dollars was provided by me, to be drawn from the Receiver of public monies at St Stephens; this, with the 50,000 previously placed in your hands for the payment of the Tennessee troops will, I presume, be sufficient to pay them all off: The Creek warriors (Indians) are to be paid by the U. S. Agent D. B. Mitchell Esquire; funds have been furnished therefor.

Prior to the receipt of your letter of the 1st Inst. a transfer (subject to the approbation of Genl Jackson, and to take effect at such time as he may appoint) was made of you to the 4th. and Mr. Broom to the 7th. agreeably to your letter of the 27th May and his of the 23rd. —Signed Rob Brent

Pb. g

7749

St Augustine 15 June 1818

Sir

I am induced by Your Letter to Mr Chocollate respecting his fellow Polydore, to address you on the Subject of a considerable number of Slaves, which my Family have amongst the Indians, & to Sollicit your kind endeavors to have them restored.

You will Sir be rendering a Service to a very large Family who have by the loss of so much property, been reduced from a State of Modest Affluence, to very great distress.

I do myself the Honor of Subjoining a List of said Negroes Stolen by the Mikasouky Indians from my Plantation at St Johns River in August 1801.

1 Sarah
2 Charles
3 Pamela
4 her child
5 Peter
6 James Mason } are brothers.
7 Hercules
8 Tony
9 Friday
10 Hannah
11 Sophia her daughter
12 Boy her Son
13 } are two other children born in the Nation
14
15 Ned
16 Joe } these three are with Jack Kinnard
17 Aleck
18 Lewis
19 Mary Ann & children number unknown
20 George a Mulatto
21 Mitilla his wife

7750

Stolen by the Alachua Indians from the same Plantation the 13 August 1812

1 Hercules
2 Pheobe
3 Tom, this old Rascall is the chief of the negroes at their village
4 Artemisa his wife
5 Ruth her daughter
6 Tony
7 Rose
8 Plenty
9 Fortune
10 Artemisa } Rose's Children
11 Prince
12 Tony
13 Juba
14 Abigail
15 Davy
16 Tom } Abigail children
17 Clarissa
18 Philip deserted to Alachua in 1813
19 Fanny a likely mulatto wench remarkable for a cut on her cheek

NB This Fanny ran away from me last August

Recapitulation

21 First Robbery
19 Second & ran away
40 Total

The Above Six is the list of what Negroes I ought to have in the Nation for the restoration of whom, I once more beg to sollicit Your Good Offices. with my most ardent prayers that your enterprise may be crowned with compleat Success.

I remain with Respect,
Your Excellency's
most Obed.t Ht Servant
F. P. Fatio

His Excellency Major General Jackson
&c. &c. &c.

From
J. Fotias a
Citizen of St Augustine
relative to Negroes
captured during
the Seminole War
dated 15th June 1818

Mr. Fatio citizen
of St. Augustine
to be replied to,
A. J.

June 1818

25

Free
June 2...

Major General Jackson
&c &c &c
Nashville
West Tennessee

Paymaster Generals' Office

Rob Brent

FREE

To

Major General

Andrew Jackson

Comdg: the Division of the South

at Nashville

in Tennessee

JU 8

From

Robert Brent

Pay Master General

dated 15th June 1818—

7752

(Copy)

Paymaster General's Office
City of Washington
June the 15th 1818.

Sir

Your letters of the 16th, 17th, 19th and 27th Ulto as also that of the 1st instant are now before me; You have erred in addressing to me the dissatisfaction manifested in that of the 16th; I had nothing more to do with the business to which it relates than to carry into effect the orders of the Acting Secretary of War; I have not reported you as a delinquent for 20.000 dollars; but as you stood charged with that sum on the books of the proper Auditor, without any credits opposed to it, the Auditor on being called upon by the Secretary, was bound to state it as a charge or debit against you, as he did, and not a delinquency.

To John B. Hogan Esquire
Paymr. 7th Regt. US Infy.
at Nashville in Tennessee

7753

The militia will have to be paid agreeable to their own organization, provided they took the field and have actually served under that organization: A copy of the law increasing their pay and of the Secretary's letter explanatory of that ~~law~~ law, are herewith inclosed; the former dated April the 20th the latter May the 25th. 1818: The increase extends only to the following non-commissioned officers musicians and privates, Viz

A Sergeant Major	12 Drs. per M°.	Of the Regimental Staff.
A Quarter Master Serg'	12 do	
A principal Musician	11. do	
A Sergeant	11. do	
A corporal	10. do	
A Musician	9. do	
A Private	8. do	

All others to receive the same compensation as the regular army.

Although they have been already regularly sent to you, yet I herewith transmit a second sett of such additional documents as have accompanied my instructions to Paymasters since the 22°. of May 1817, the date of those transmitted

To

to St. Crippen, which are doubtless in your possession:
Those now inclosed are as follows.

No. 2. A copy of the military laws and rules and regulations as revised in September 1817.

" 15. A copy of a circular letter from this Office dated September the 5th 1817.

" 16. Copy a circular letter from this Office dated September the 24th 1817.

" 17. A Copy of a letter from the Secretary of War to the 2d Comptroller, dated January the 15th 1818.

" 18. A copy of a letter from the Secretary of War to me dated January the 29th 1818.

" 19. A copy of a circular letter from this Office dated March the 14th 1818.

" 21. A copy of a letter from the Secretary of War to me dated May the 8th 1818.

" 23. A copy of a decision or regulation made by the Acting Secretary of War under date of the 26th of Nov. 1817.

" 24. A copy of the Army Register, as corrected to May 1818.

You will discover from my letter of the 20th of April 1818 to General Jackson, a copy of which is herewith inclosed, that an additional sum of 50.000 dollars was provided by me, to be drawn from

7754

from the Receiver of public monies at St. Stephens; this with the 50.000 previously placed in your hands for the pay of the Tennessee Troops will, I presume, be sufficient to pay them all off: The Creek warriors (Indians) are to be paid by the U. S. Agent D. B. Mitchell Esquire; funds have been furnished him therefor.

Prior to the receipt of your letter of the 1st instant, a Transfer (subject to the approbation of General Jackson, and to take effect at such time as he may appoint) was made of you to the 4th and Mr Broom to the 7th agreeably to your letter of the 27th of May and his of the 23d.

I am Respectfully
Sir
Your Mo: Obt.
Robt Brent
Paymr Genl.

Pensacola 16th June 1818

$1263 25/100

At sight of this my second of Exchange (first of same tenor and date unpaid) pay to Messrs Beaty & Graves or order the sum of one thousand two hundred and sixty three Dollars and twenty five cents, for value received as per Charterparty of the Schooner Saturn, Lorenzo Brū master, engaged as a transport from hence to Havana in which vessel ninety one Spanish prisoners of War were yesterday embarked; also embracing the sum of thirteen Dollars allowed to the master of said vessel for fire wood furnished by him, say in full of the whole

Geo. M. Brooke
Col. U.S.A.
Comdt U.S. Troops in West Florida

To The Quarter master General's Departmt Division of the South of the United States Army
New Orleans

7755

United States of America, }
STATE OF LOUISIANA, } **s. s.**

BY THIS PUBLIC INSTRUMENT OF PROTEST,

BE IT KNOWN, That on this *second* ——— day of *July* in the year one thousand, eight hundred and *eighteen* at the request of *Beaty & Greves the holders*

of the orginal *Bill of Exchange* whereof a true copy is on the other side written, I, JOHN LYND, Esquire, Notary Public, dwelling in the City of New-Orleans, duly commissioned, *went to Col. Gibson, late quarter master general for the Department to which the said Bill is addressed, and demanded of him payment thereof. He answered that said situation lately filled by him was at present vacant; and that at present he had no funds in hand belonging to that Department to enable him to pay the same; and further that the same would be paid when funds were received. Which answer not being satisfactory —*

— — — — — — — —

whereupon I the said Notary, at the request aforesaid, did protest, and by these presents do publicly and solemnly protest, as well against the drawer or maker of said *Bill of Exchange* — as against all others whom it doth or may concern, for all *Exchange, Re-exchange* — damages, costs, charges, and interests, suffered or to be suffered for want of *payment* — of the said *Bill of Exchange.*

Thus done and protested in the presence of *Hugh K. Gordon*

& Jules Davezac — **Witnesses.**

In Testimony Whereof, I grant these presents under my signature, and the impress of my seal of office, at the City of New-Orleans, on the day and year first before written.

John Lynd
Not. Pub.

Act. fees $2—

St. Augustine 16 June 1818

Sir

Your favour of the 5th Ult came duly to hand, and contents observed— The negro man Polydore unquestionably belonged to the Estate of the late Mr Berta, commonly called Chocolate, — In the division of the Estate he became the property of his daughter, married to a Gentn by the name of John Sotores of the City of Charleston, I shall give immediate information to Mr Sotores relative to the subject, he being a Citizen of the United States will probably facilitate the business in his application to you with less difficulty than I could a subject of this Province— I also married a daughter of the late Mr Berta, and represent his Estate in this Province.

Permit me Sir to tender you my acknowledgments for your kind attention in communicating information respecting this Slave, many of the inhabitants of this Province duly appreciate it, Near three hundred Slaves have been enticed away by Woodbine and other incendiarys, my Self have been a considerable Sufferer in the loss of nearly forty. Those Slaves with many from Georgia remained a considerable time with Bowlegs, to whom we have made repeated application for their restoration but without effect— we are recently informed that they have removed from that section of the Country and have formed a Settlement at Okitiwaka near Tampa— Their combination is dangerous not only

7756

to the subjects of this Province, but to the Citizens of Georgia, as they offer great inducements for Slaves to run from their masters — This description of property in this Province is consequently of little comparative value, we anxiously wish their whole establishment destroyed and the Negroes brought into a state of subjection, but we regret we have not the ability or means of effecting it —

With sentiments of great respect I remain

Your Excellency's

Obt. Servt.

Gabl. W. Perpall

His Excellency Major Genl. Jackson

Mr Perpsoll
letter on The Sub-
-ject of Polydore
the boy belongs to
a gentleman in
Charleston who
married Mr Battees
daughter —

William Persphall
respecting Boy Polydore
belonging to a gentleman
in Charleston who
married Mr Butas
daughter —
16 June 1818 —

Major General Andrew Jackson
Nashville
State Tennessee

Fincastle
June 23

25

(Copy)

Paymaster General's Office
City of Washington
June the 17th 1818

Sir, Since writing to you on the 15th. of the present month I have thought it possible that General Jackson may not have used the authority given him by my letter of the 20th. April last to draw for 50,000 dollars in favor of the Receiver of public monies at St. Stephens, and that in consequence thereof you may find yourself short of funds to pay the Tennessee troops when you arrive among them: under this view of the subject and in case the General should not in fact have caused any part of the 50,000 dollars to be drawn from St. Stephens, I hereby authorise you to draw bills on me, payable at ten days sight, in favor of John Brohan Esqr. Receiver of public monies at Huntsville for such sum, not exceeding 50,000 dollars, as shall be found necessary to complete the payment of the Tennessee troops lately in the service of the United States against the Seminole Indians: For these bills Mr Brohan will be instructed by the Secretary of the Treasury to give you money; It would be ~~necessary~~ well, however, for you to confer with Genl. Jackson on the subject before you draw your bills. —

I am respectfully &c

(Signed) Robert Brent
P. M. Genl.

Major John B. Hogan
&c &c

7758

Copy of a letter from
Paymaster Genl.
17 June 1780

Paymaster General's Office
City of Washington
June the 17th. 1818.

Sir,

I have the honour to enclose for your perusal and information copies of my letters of the 15th. and 17th. instant to Mr. Hogan Paymaster of the 7th. Regt. of Infantry.

With sentiments of much respect
I am Sir
Your Mo. Obt.
Rob. Brent

To
Major Genl.
Andrew Jackson
Comd.g the Division
of the South
at Nashville
in Tennessee

7759-60

Copy

Paymaster Generals Office
City of Washington
June the 17th 1818.

Sir

Since writing to you on the 15th of the present month I have thought it possible that General Jackson may not have used the authority given him by my letter of the 20th of April last to draw for 50,000 dollars in favour of the receiver of public monies at St Stephens, and that you may in consequence thereof find yourself short of funds to pay the Tennessee troops when you arrive among them: under this view of the subject and in case the General should not in fact have caused any part of the 50,000 dollars to be drawn from St Stephens, I hereby authorise you to draw bills on me, payable at ten days sight, in favour of John Brahan Esquire receiver of public monies at Huntsville for such sum, not exceeding 50,000 dollars, as shall be found necessary to complete the payment of the Tennessee troops lately in the service of the United States against the Seminole Indians. For these bills Mr Brahan will be instructed by the Secretary of the Treasury to give you money; It would be well however for you to confer with Genl Jackson on the subject before you draw your bills.

I am Respectfully Sir
Yr Mo Obt Servt
Robt Brent
Pmr Genl

John B. Hogan Esqr
Pmr 7 Regt of Infy at Nashville
Tennessee

7761-2

Head Quarters 8 Mil. Dep.
New Orleans June 17 1818

Col. Robert Butler,

Sir,

I take the liberty to request you to lay before the General for his consideration the enclosed project of recruiting regula=tions for this Department and [illegible] desire permission to me in ca[illegible] approves of th[illegible] to carry the[illegible] in[illegible] effect so [illegible] it resp[illegible] Co[illegible]nd. —

I am with great respe[illegible]

Yr. Most Obed.t Serv.t

El. W. Ripley

Maj Gen comdg

7763

June 17th 1818. [illegible]

Maj. Genl E. W. Ripley

Enclosing arrangement for

the recruiting service

Answered in letter 3d July

1818.

Fort Scott
17th June 1818

Dr. Colonel

Enclosed herewith is the copy of a letter from Genl. Gaines to the Secy of war, which he has no view in forwarding to the Major Genl. other than to act up to an order which was issued from this office on yes=terday requiring officers of this command to furnish him copies of any correspondence of a public nature that may necessarily take place between them and the H. Q. of the S. Division or the Dept of War. – this letter is not embraced in the meaning & intent of the order but coming under the words it is nevertheless sent. – I will remark to you in a private way (as this letter is intended) that much benefit might result to the service were those regulations re=specting the issue of forage in kind either expunged or so modified as to entitle officers to their ~~dues~~ just dues. – for instance I am ordered to Charleston, to remain two or three

7764

months, I am not entitled to draw forage in kind & my horses will cost me $.40 each, say 4 (if I get the appt.) which will amount to $.160 pr month; let me live in a Butcher's stall myself, and I am broke; at this post (which is laid down by Mr. Brent as permanent) none but public forage can be procured. I might recite numberless instances which will of course appear to you. The influence of Genl. Jackson with Mr. Calhoun might cause the repeal of this obnoxious regulation, that is founded neither upon law or justice; — I am fearfull none other can do it. — It is said the conduct of Genl. Brown caused it, why not punish him, the inocent should not suffer for the Guilty. ——— On yesterday your communication of the 29th May was received by Major Genl. Gaines. — We had some time before heard of two days cannonading, but not the result, busy conjecture, and what officers knew of the strength of the post, reinforcements to the enemy, ~~&c. &c. &c.~~ and other knowledge of circumstances ~~too~~ tedious to mention, but I nevertheless maintained my opinion ~~that~~ the General would not run his head against a stone wall, but would come out in the

old way, which I believe is as good as any way. — The Officers of the 7th, always discontented, and whom (some think) God has been pleased to curse with Field Officers, now state that if Lt. Col. Arbuckle's old black horse had been in good travelling plight, they would not have remained here. — The Court martial for the trial of Col. Brearly have done nothing as yet, the Colonel has not been heard from, Reese was sent to Fort H. for him on the 31st ult. — The Court have determined to adjourn sine die if he should not make his appearance on the 24th — Lt. Col. Arbuckle cannot have his Ct. of enquiry as there are no supernumeraries to that Court, & Lt. Col. Clinch has been ordered by the W. Dep. to remain at Raleigh, nor has Dinkins been heard of since you left us. Genl. Gaines intends to pay Tennessee (K.) a short visit after the court rises, should the aspect of affairs warrant it. I believe I will not accompany him, as Roderick Dhu is in such low order. The flies will not permit a horse to fatten here.

I have received no news from the Dept. relative to my application. — I have been very unwell for some time, but am recovering. and one of the most forlorn, miserable,

7765

good for nothing wretches you ever saw: — It has always been my lot in the army to get rid of any thing like a scrape, after performing the laborious part of the cam=
=paign. — Tell Gadsden that I received his hasty letter from Pensacola, & only await the more leisure one promised from Montgomery, to ~~answer~~ write him at length.

My best respects to the Genl. & fam. & I beg also that you will present my remembrance to Mrs B. & my acquaint=
=ances.

"Thine Sleeping & waking"

Jm. Glassell

Col. Robt. Butler

From Capt.
J. M. Glassell
June 17th 1818

Paymasters Generals Office
City of Washington
June the 18th. 1818

Sir

The enclosed letter has been handed to me from the Treasury, to be forwarded to you, that your bills (if you draw any) may be drawn accordingly, and not in favor of Mr Brohan, as pointed out in my letter of the 17th Instant.

I am respectfully &c
(Signed) Robert Brent
P.M. Genl.

John B. Hogan Esqr
P.M. 7th. Infy

P.S. If you do not use this authority please to return me the letter of the Secretary of the Treasury.

7766

From
Robert Brent Esq.
to
Major J. B. Hogan
18 June 1818

Treasury Department
18th June 1818

Sir

It has been represented to me by the Paymaster General, that funds are wanted to pay the Troops employed on the late expedition against the Seminoles; but as the Receiver of Public monies at Huntsville cannot furnish the sum required, by his reason that his deposits are regularly made in Institution, I am compelled under the circumstances of the case to request, that you will be so obliging as to take the bills of John P. Hogan Paymaster of the 7th. Regiment of Infantry, on Robert Brent Esqr. Paymaster General at this place and pay him Cash for the same, to an amount not exceeding 50,000 dollars. These bills you will be pleased to indorse to Thomas Tudor Tucker, Treasurer of the United States and forward them to him for collection — who on his part will remit to you a bill or bills for an equal sum, drawn on the Cashier of the Bank of the United States, and made payable at your Institution.

I will just add, that it being desirable not to blend this transaction with the deposits

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made by the Receiver to the credit of the Bank of the United States, you will be pleased to raise a temporary suspense account in your books, to be charged with the money paid for the bills, and closed by the remittance you will necessarily receive from the Treasurer.

I am very respectfully &c

(Signed) Wm H. Crawford

B. Cox Esquire
Cashier of the Planters & Merchants Bank at
Huntsville A. T.

From
Wm H. Crawford Esqr
to
B. Cox Esqr

Hd. Qrs Fort Scott Ga.
June 18. 1818

General

By an express from Fort Gadsden I have received from Major Twiggs a report of the arrival at that Post of forty seven Ochesee Indians. The Major does not say whether they are the same that surrendered themselves at St. Marks, but I presume they are.

From St. Marks I learn from Major Fanning that his parties had scoured the country for some distance around, without being able to discover any Indians. His men were healthy, excepting a few cases of measles, and dyspentary. He had lost six men by desertion — they went off in a small open boat. His letter is dated the 27. ult.

In what part of East Florida the Mickasukee=ans and Fowl town Indians have located them=selves I have not been able to learn. A report communicated by Harrod, says that the hostile party, including Bowlegs, are at the Red house

7768

holding a council, that they have sent propositions of peace to the friendly Indians at Coweta — and that some Coweta Indians had been sent to the council at the red house. He added that it was expected the hostile party would move up to the friendly part of the Nation.

Major Twiggs reports that the chief Yellow hair, had delivered at Fort Gadsden twelve head of horses left by the army in the Wilderness. Fourteen have been delivered at this place by other Indians. Their extreme poverty and the severety of the flies would leave little hope of their recovery without corn; I have therefore ordered them to be fed with four quarts per day, each. How are they to be disposed of?

I had the pleasure to receive by your Indian guides, on the 16th. instant your note of the 30th. ultimo, with the very acceptable account of your having taken Pensacola and Fort Barrancas; communicated by

Colonel Butler.

In the expectation that St. Augustine will likewise be taken possession of shortly, since war actually exists with Spain; I shall make but a very short visit to my family, and hold myself ready for your order upon the subject.

I have charged Major Bankhead to be upon the alert.

Col. Brearly has not yet arrived - nor has Lt. Col. Clinch or the recruits of the fourth Infantry. I have heard not a word from either since the date of my last - nor from Paymaster Broome.

Since writing the above, Yellowhair with some of his Ochesee Indians has arrived at this place.

With perfect respect
Your Obdt. Servt,

Edmund P. Gaines

Maj. General Jackson
Commander in Chief
Division of the South

7769

Colonel Butler.

In the expectation that St. Augustine will likewise be taken possession of shortly, since war actually exists with Spain, I shall make but a very short visit to my family, and hold myself ready for your order upon the subject. [illegible] Major [illegible] to be upon [illegible] has not yet arrived, nor have [illegible] the recruits of the fourth [illegible] have heard not a word from either [illegible] of my last — nor from Paymaster [illegible]

Since writing the above, [illegible] some of his Ochesee Indians have arrived at this place.

With perfect respect
Your Obt. Servt.
Edmund P. Gaines

Maj. General Jackson
Commander in Chief
Division of the South

Genl. Gaines to Genl. Jackson
June 18th 1818 —
Having strictly [illegible] relative to the [illegible] chiefs, [illegible] of our [illegible]

Pensacola June the 19th 1818.

For 1100 Dollars

At sight of this my first of Exchange, second of same tenor and date unpaid, please pay to the order of Mr. J. K. Smith the sum of Eleven Hundred Dollars, for value received as per Charterparty of the Sloop Washington, Robert Mattocks Junr. engaged as a transport from hence to Havana, in which vessel Eighty Spanish Prisoners of War were embarked. as per annexed advice from

To the Quarter-master's General Department — Division of the South of the United States Army. New Orleans

your obdt. Servt.

James Scallan

1st. Lt. Inffy

Actg D. Mr.

(Endorsed)

Pay to the order of John Innerarity esqr.

Ezekiel Webb. }
S. L. Seabury. } Executors to the estate of the late John K. Smith

Pay to Messrs. Beaty & Greives or order, for value received in account

John Innerarity

Beaty & Greives

I Certify the foregoing to be a true copy of the original Bill & Protest as extant in my Current Register. In faith whereof I grant these presents under my notarial firm & seal this 26th Septr. 1818.

John Lynd Not. Pub.

7770

UNITED STATES OF AMERICA,
STATE OF LOUISIANA. } s. s.

By this Public Instrument of Protest,

BE IT KNOWN, That on this third day of August in the year one thousand eight hundred and eighteen at the request of Messrs. Beals & Greives of this city merchants the holders of the original Bill of Exchange whereof a true copy is on the other side written, I, JOHN LYND, Esquire, Notary Public, dwelling in the City of New-Orleans, duly commissioned, went to Colonel Gibson late Quarter-master General for the division of the South of the United States Army, to which department the same is addressed, and demanded of him payment thereof. He answered that at present he did not hold said office, nor had he any public funds in his hands: nor could I find any other person representing said Department

whereupon I the said Notary, at the request aforesaid, did protest, and by these presents do publicly and solemnly protest, as well against the drawer or maker of said Bill of exchange as against all others whom it doth or may concern, for all exchange, reexchange damages, costs, charges, and interests, suffered or to be suffered for want of payment of the said Bill of Exchange.

Thus done and protested in the presence of Jules Davezac and

Hugh K Gordon

Witnesses

(Seal)

IN TESTIMONY WHEREOF, I grant these presents, under my signature, and the impress of my seal of office, at the City of New-Orleans, on the day and year first before written.

(signed) John Lynd Not Pub

New Orleans
June 19. 1818

Sir,

I have the honor to transmit herewith inclosed an abstract of monies received and expended by me in the Q^r. M^rs. Dept. during the month of May 1818 also a statement annexed of the probable amount of claims for purchases, transportation &c which as yet remain unpaid. I have stated the amt. estimated for by me which is not yet received. I have estimated for thirty two thousand dollars for the discharging of those claims and for thirteen thousand for current and contingent expenses for the month of July 1818 which are not stated in my statement of the 3^d. ult as the estimates have been made since the making of that statement. I deferred sending the above until the present time in order to ascertain precisely to what place I should a—

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deep you. This I learned a few days since.

I have the honor to be
Sir
Very respectfully
Y^r. most Ob. H^e Servt.
Tho. F. Hunt D.Q.
A. Q. M. D. 2 M. Gen.

Maj. Genl. Jackson.
Com'd'g S. D. U. S. Army.

From

Capt. Hunt Asst

Dept. Pay General enclosg
an Abstract of Receipts and
expenditures in his Department
for the Month of May 1818

dated June 19th 1818

Maj. Genl. And. Jackson
Comdg. Southn. Division
U. S. Army Nashville Ten.

NEW ORLEANS JUN 25

Sir

Pensacola June 19th 1818.

I have the honor to forward herewith, in duplicate, copies of the inventories of Ordnance, ordnance stores and other property, turned over by the Spanish Commission to the gentlemen appointed by the Major General to receive it.

Owing to the great difficulty of procuring transportation part of the late Spanish garrison of this place is still here; but I flatter myself the vessels which is now receiving the baggage of Colonel Masot, which it is intended shall sail the day after tomorrow, will, with close stowing, take them all. So soon as they are off I will forward to Head Quarters duplicate abstracts of the provisions which has been furnished them.

I have the satisfaction to report the perfect tranquility of this place - not a single occurrence has taken place worthy the notice of the Major General.

The scouting parties which have been sent to the opposite side of the bay have returned without finding any Indians - some few however have come in and been sent to the big Warrior, from whom I learn the rest, on finding the American army had entered Pensacola, made the best of their way to the Nation.

Of the canoes which the General authorized I have heard nothing; I shall however, as soon as the

7773

as the recruits of my regiment arrive, send a strong de:
tachment to beat up the country as far as the mouth of
the Choctawhatchee.

I understand that upwards of the deserters & recruits of my regiment have been sent to Amelia Island, I know not by whose order, may earnestly beg the interposition of the Major Generals au:thority to have them sent to me, otherwise they will be lost to the regiment and the service.

With great respect Sir
I have the honor to be
Yr. Mo. Ob. Sr.
W. King
Col 4 Infy
Comdg
[illegible]

Col. Robert Butler
Ad. Genl. D. S.
Nashville
Tennessee

From
Col. Wm King —
at Pensacola —
19th June 1818

relates to several
subjects, appertaining
to the concerns of the
above place. —

7775

Washington, T   12½

June 26th 1818.

Major General

Andrew Jackson

Head quarters, Nashville

Washington Rhea Courthouse

Dear Sir

20 June 1818

I am happy to hear of your return, as also those brave men, who volunteered their services with you

I have never heard from you since you left the Lookout mountain, but hope from what I have learned from others that you have silenced the disturbers of our Peace — I am prodigiously pleased to hear of your leaving the Posts of St. marks, and Pensacola in possession of the americans, out of which I trust in God they never will be taken.

I have spent nearly six months with the Cherokees, and have enrolled in all upwards of 400 Families, making an aggregate of about 2,000 souls, I leave here in a few minutes for the agency from whence I will set out tomorrow morning, for Austonally, to which place I am invited, to hold a talk with Hicks and his hostile party, how it may result no one can tell, tho at our last meeting

7775

I was very much flattered with the prospect; and so soon as I leave here for Murfreesboro (which will be about 10 next month), I will write you more at length —

The Commissioners of Tennessee & Georgia have extended the line between the two States as far to the East as McNairs, whose residence lies one and one fourth miles in Ten. whose interest and honor seems to be promoted every way —

Please present me to Mrs Jackson and believe me to be your friend

Jos. McMinn

Genl Jackson

Extract of a [illegible] Washington Rhea Courthouse,
dated [illegible] from Govr McMinn
20th June 1818.

Dear Sir [illegible]appy to hear of your return, as also those brave men who volunteered their services with you.

I have never heard from you since you left the Lookout Mountain but hope from what I have learned from others, that you have silenced the disturbers of our peace. I am prodigi=ously pleased to hear of your leaving the post of St. Marks and Pensacola in possession of the Americans, out of which I trust in God they never will be taken.

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7777

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The Commissioners of Tennessee
and Georgia have extended the line between
the two states as far to the east as McNairs,
whose residence lies one and one fourth
miles in Ten, whose interest & honor
seems to be promoted every way. —

Please present me to Mrs Jackson,
and believe me to be your friend.

Jos. McMinn

1816

Genl Jackson.

Kingston 22nd February 1816. —

Captain
Richard G. ~~Dunlap~~ Dunlop and Companions
under arms, I am happy to find that your
love of Country has stimulated you to leave
your homes, and give on your arms in its

defence. The land in which we live is the natural inheritance of the free sons of America - and those who invade the soil, or attempt to violate its dignity, must be punished with death. I have the pleasure to learn that the greater part of these honor=able men who ~~have~~ are enrolled have had the honor of anticipating in the laurels achieved in the late war; this circumstance is every way interesting; first as relates to yourselves. The knowledge of a life in Camp: & the duties resulting therefrom to each of your stations, gives you the best guarantee for your health and tranquility of mind and as regards your Country your patriotic souls have scarcely ceased to thirst for vengeance and victory, and its highest expectations and best interest cannot fail to be promoted. —

And with regard to remunerations for your services, and of your being received with a hearty welcome, by your Chief, and the Officers

7778

of the army of which you will form part, there cannot, and ought not to exist a single shade of doubt. Press on without delay — execute the order under which you were raised; for it is of no less authority than if issued by Genl Jackson in person, altho' penned by Col. Williamson. By obeying that order, you will be entitled to pay, rations, and emoluments in full. —

I recommend most earnestly that you commence your march immediately for the point of destination, taking in your route the Cherokee Agency; where Col. Meigs will supply you with the necessary stores of provisions for your journey, and will authorise you to draw at such other posts as may be necessary on the way.

I have wr[illegible] this hasty scrawl under the expectation [illegible] I should not have pleasure of seeing you until your return; and to give you assurance that General Jackson will bid you welcome, and treat you as his brethren in arms; and with the

Garrison, Baton Rouge.
21st June, 1818.

Sir,

The officers of the 1st Infantry having recommended 1st Lt Craft for the appointment of Paymaster; which from the fear that the communication might not find you at Nashville, & to prevent delay I have forwarded direct to the Paymaster Genl at Washington.

Capt Gibbs, from some cause or other has entirely failed in the performance of his duties as Paymaster, the Regt having nearly fourteen Months pay due, renders the measure necessary.

Lt Craft' habits and capacity being such as to warrant a correct and punctual attendance to the duty. Permit me to solicit your influence in his obtaining the appointment; as I have no hesitation in giving assurances, that

7787

if appointed his duties would be so conducted, as to give satisfaction to the pay Department as well as the army.

Very Respectfully,
Sir, Yours most Ob^t Servt.
W. Wharlenley
Major 1st Inf^y
Com^g

Major Genl A. Jackson,
Com^g S. D. U.S. Army.

BATON R.
JU 22
LA

(on service)

25

Major Genl. A Jackson
Comg - S D. U. S. Army
Nashville
(Tennessee)

From
Maj. Whartenby
1st Infantry
dated 12th June 1818

7788

Fort Hawkins 23rd June 1818

Dear General

I have not had it in my power to forward to you a copy of Colonel Brearley's answers to the Interrogatories proposed to him by General Gaines, as he declines answering to them for the present.

I have furnished Major Sutton of the Tennessee volunteers with one waggon to transport the baggage and sick of his detachment, and with 750$ to defray the necessary expenses on the road: I have also furnished Lieut. McTrean of the same corps with two waggons and 300$ for the same purpose. - only three Tennesseeans were left behind sick, and they have recovered and left here on the 7th instant for their homes. -

I have the honor to enclose herewith a copy of a communication from the War Dept. of the 18th of April in which I am instructed to be in readiness to discharge the duties of the Quarter

7790

Masters Dept for the Southern Division under your orders. — Captains Easter and Spencer pursuant to orders from the War Dept, have reported to me as As. D. Q.Mr. Generals: the former I have supplied with funds and directed him to await the orders of General Gaines at this post: the latter has also been furnished with funds, and left this place on the 11th instant with orders to report in person to the General. — I have nearly Completed the settlement of outstanding claims against the Q.Mr. Dept in Georgia, and I am supplied with the necessary funds to enable Captains Easter and Spencer to discharge all current demands as they originate.

As the change in the Quarter Master Dept which was suggested to you the morning I left you 18 miles this side of Fort Gadsden, has occurred, and I have accomplished the duty which I was directed to perform at this place, I wish now to avail myself of the indulgence which you was then pleased to grant me of visiting my family and settling my accounts

with the Treasury Dept before I join you. — I regret however to leave here without your written permission, but as I have accomplished the business that requires my attention in this quarter, and as I learned by the last mail that my family were very sick (whom I left without a knowledge that I was coming to the Southern country) I presume you will pardon my anxiety to be with them. — I hope the period of my leave of absence will be extended as much as you may deem compatible with the public service, as I have some accounts of the Q.Mr. Dept to complete in the section of the country where I have recently been stationed. —

I intend leaving this for Providence R. I on the 1st of next month. —

I pray that this may find you in ~~perfect~~ health. —

I am Sir,
with very great regard
Yr. mo. ob. Servant
Ch. Mason
Dep. Q.Mr. Genl

Maj General
Andrew Jackson
Comg Southern Division
Nashville Ten —

7791

write Mayor Moson
that not one cent of the
funds say $100,000, which
the Genl was advised by
the Sec of war, was forwarded
to Neworleans; for the
Q. master Genl Col. Gibson
& which was relied on by
the comdg Genl to meet
all demands on the Quarter
=master's department, for
the march to Pensacola
& the return march of
the Tennessee Troops from
there to there homes have
been rec^d. this makes it
absolutely necessary that
you by yourself or Depy.
should be here with -
funds to discharge the
Debts that have accrued
in the quartermasters
department, on that
quarter alluded to -

A. J.

Executed Augt 2^d 1818.

Ord. letter Book

Fort Gadsden 25th June 1818

Sir

A few days ago a couple of Indian men came to Hamblys Place direct from the red house on the other side of Suwany they state the negroes have returned to their old Town. The Mickasuckee Indians rem-ain at the Red house and were disposed for peace. McQueens party and the fowl town Indians are at the Suwanny River and are still for war, that about twenty days before they left there a Spaniard came among them from St. Augusteen with a war talk. Blounts Indians brought them to this place to day, one I have sent one of them in company with another Indian to St. Marks with the letters and papers for that Post, the other I shall direct to Fort Scott as soon as he can travel as he is at present sick

Respectfully Yr Obt

(signed) D. E. Twiggs

Major Genl. E. P. Gaines Bvt. Major 7th Infy

7819

No. 3

~~Copy~~

Asst. Adjt. Genl's Office
Fort Scott 25th June 1818

General Order

Pursuant to the Division order of the 5th May last, Major Jno. Nicks having been designated to superintend the recruiting of the 7th Regiment, with Captains Vashon, Corbally, Bee and Gray, & Lieut Crupper, will forthwith proceed to Philadelphia, where he will establish his head Quarters, & proceed to station the officers assigned him, at such places as promise most success keeping in view the regulations from the Dept. of War for that service. The General having other service for Lt. Crupper to perform, in conjunction with the duties above assigned, he will be stationed at Fort Hawkins where he can recruit & continue to correspond with, with superintendant on that duty.

Capt. A. Cummings, of the 4th Inf. having been assigned to the recruiting service will repair for that purpose to Lancaster, Pen., & report to the Head Quarters of his Regiment.

Majors Cutler & Muhlenberg having been promoted & attached to the northern Division, are excused from farther duty, and will proceed to their respective Regiments agreeably to the orders from the Adjt & Insp. General's Office.

Lieut C. Kane of the Ordnance Dept. will immediately prepare his account & vouchers for purchases & disbursements, in the Quarter Master General's Dept. as well as for rations for the United States troops & Militia lately employed against the Seminole Indians, and proceed to the City of Washington for settlement with the 3d Auditor of the Treasury Department. — It is expected he will arrive at Washington by the first of August next.

A detail of one sergt. one Corporal, & six privates will be made from the 7th Regt. at this post, & sent to Fort Hawkins, where they will be stationed for the protection of the public stores &c. at that place.

A General Court Martial, to consist of seven, will convene on the first of August next at Fernandina, on Amelia Island, or such other place in the vicinity thereof as circumstances may justify the Presdt. in designating, for the trial of Capt. Wm. Wilson of the Corps of Artillery, # and such other prisoners as may be brought before it. — Major

7821

James Bankhead of the Corps of Artillery is appointed President, and Captains Melvin of the 4th. & Corbally of the 7th. Inf. are detailed as part of the Members:- Major Bankhead will detail four members & two supernumeraries from his command. Surgeon Thos. Lawson of the 7th. Inf. is appointed Judge Advocate to the Court, and will proceed to Augusta, Geo., for the purpose of procuring from James I. Dent Esqr. late Judge Advocate of the Army, the Charges against, and documents relative to the official conduct of Capt. Wilson, whence he will proceed to the place for holding the Court, requiring the attendance of such evidence as he may deem necessary.

On the adjournment of the Court Sine die Capt. Corbally and Doctor Lawson will report themselves to the superintendent of the recruiting service of the 7th. Regt.

The Command of this post will be turned over to Capt. Donoho, of the Corps of Arty., to whom it is entrusted, and who will muster & Inspect the troops at the end of the present month in Lieu of Lt. Crapper heretofore designated for that duty.-

Lieut. Crapper, will repair to Fort Hawkins

By Command
Jn. Gadsden (?)
A. A. A. Gen.

No. 1

Gen. Gaines Order of 23d. June 1818, issued at Fort Scott, embraces various subjects. —

Columbia, Tennessee
25 June 1818

Sir,

On my arrival at Fort Hawkins I wrote to the Paymaster General (under date 17 May) for his instructions in full and a schedule of the pay and emoluments that each Officer, non-commissioned officer, and private would be entitled to receive as mounted Gun men. Those instructions not having yet reached me I will be unable to commence my calculations until I obtain either the instructions written for, or a copy of the law under which those Regiments have been organized. — By a late Act of Congress, passed 20 April 1818, all the Militia called into service since the 1 Septr. 1817, or which may hereafter be called into service in prosecuting the war against the Seminole tribe of Indians are to receive the highest rate of pay given during the late war with Great Britain; — therefore the old act must be my guide, a copy of which I hope you will be able to furnish me.

There is, Sir, much difference of opinion existing here, which is, whether those men are entitled to a monthly allowance of clothing, and whether they are to receive 40 cents per day for horse hire for the whole tour, or only for the time they had a horse to render that service which the men which the men were first called to perform; also, whether Commissioned Officers are placed on the footing of privates and to receive 40 cents per day for their horses. —

7823

My

My impressions are, Sir, that Congress never intended to pay a soldier for the hire of his horse any longer than he was in possession of a horse to render service, for I think the Law say, should his horse be killed in action or die, and he provides himself with another, he shall still receive the pay of 40 cents per day, but not the value of the 2d horse should he be killed or die in service; nor do I think that Officers are entitled to any daily compensation for horse hire — each Captain is allowed forage for three horses, Major 4, which I think is intended to be more than equivalent for 40 cents for one horse. Should you coincide with me in opinion, Sir, it will be necessary that the Officers make a note, on the Muster Roll when their horses were lost and what clothing each man has drawn that proper deductions may be made.

I have thought proper, Sir, to trouble you with the above remarks knowing your anxiety to see those men paid off, and as I am totally destitute of any regulations whatever that would apply to their case, I must be guided by your experience, and your orders.

I am with great respect

Your obedt. Servt.

John B Hogan
Pay Mas. 7. Inf

Major General
Andrew Jackson
Com. of D. South.

From J. B. Hogan
Paymaster 7th Infy.
25 June 1818
respecting pay of Mounted
Gunmen &c

From Jn B Hogan
Paymaster 7th Infy

Major General
Andrew Jackson
Columbia
Tennessee

Milledgeville
25th June 1818

Sir,

Yo[illegible] instant by

Mr Hambly [illegible]; and I have furnished him with the supplies required for Blount & other Indians. As he cannot obtain a passage for himself & party in the stage further than Augusta through the agency of the post Master at this place, I have advanced him two hundred & seventy dollars to enable him to proceed; & I hope this will meet with your approbation — I have also directed the Q.Mr. at Fort Hawkins to forage their horses until their return —

They proceed to Augusta this day. —

I am Sir,
very Respectfully
Yr. mo: ob. sr
M. Mason
D.A. Q.Mr. Genl

Maj Genl
Andrew Jackson
Comg. D. of the South
Nashville
Ten

7825

Genl order of 26th June – ordering the muster & payment of the Troops as they are mustered agreeably to the law under which similar Troops were paid during the war, and recognised by the State act of Congress 33d –

7827

Memorandum of orders

extract of the proceedings of the court martial on the trial of Col^o. D. Brearly –

No 1 –
order to Major McIntosh to muster the Indians out of service at Ft scott ~~and D~~ agreeable to a Genl order of date 13th. of april – the above of date 21st. april 1818 –

Page 81 – order promoting the Indians for their gallantry on the 12th – of april – &c this whole order to be copied –

[1818]

Genl order of 26th June - ordering the muster & payment of the Troops as they are mustered agreeably to the law under which similar Troops were paid during the war, and recognised by the late act of Congress &c. —

Memorandum of orders

7827

extract of the proceedings of the court martial on the trial of Col. D. Brearly—

No 1—
order to Major McIntosh to muster the Indians out of service at Ft Scott ~~[illegible]~~ agreeable to a Genl order of date 13th of april—the above of date 21st April 1818—

Page 81—order promoting the Indians for their gallantry on the 12th of april—&c This whole order to be copied—

[1818]

Fort Scott

26th June 1818

Sir

In entering upon the duties of the command assigned to you, by the after order of yesterday's date, your attention will be directed particularly to the objects embraced in the division order of the 5. of last month, together with my orders of that date, and subsequent thereto.

I have moreover to call your attention to such measures of preparation and precaution, as the late brilliant affair of Fort Ferdinand de Barrancas suggests. Our insidious neighbours of Spain, who have long connived at the massacres committed by the savages upon our frontier citizens, have now openly resorted to the use of force against us, to protect their barbarian allies - your command therefore must be held in perfect readiness for battle - your posts must be put in condition to defend against artillery as well as small arms. Every Boat must be put in

7828

complete readiness for service, and supplied with a large extra allowance of oars—

No furlough will in any case be granted to officer or man.

Upon the arrival of the Junior subalterns of the 7th Infantry you will detach such other subaltern officers upon the recruiting service, as in your judgement can be spared from the different posts.

The recruiting service must be actively attended to, and the Corps completed as speedily as practicable.

You will endeavor to ascertain the position of the hostile Warriors, and for this purpose you can employ a few friendly Indians. McQueen is reported to be at Suwaney, - inform yourself whether or not this report be true — if true advise me thereof by express without delay.

Should the contractor fail to furnish fresh beef as directed, you will cause a supply for a month in advance to be procured, besides a four months supply of flour and salted meat

I am very respty yr Obt St

(Signed) E P Gaines
Major Genl by Brevt
Comm'g

Lt. Col. Arbuckle
7. U. S. Infantry.

7829

No. 3

Copy ~~Letter~~ from Genl Gaines
to Col. Arbuckle.

26th June 1818.

Copy

Adjutant General's Office
Columbia, Tennessee, June 26th 1818.

Head Quarters
Division of the South

General Order

The Inspector General, Colonel A. P. Hayne, will muster for payment, the two companies composing the Maj. General's life guard, commanded by Captains Dunlap and Crittenden, and the brigade of Volunteer mounted gun men, composed of Col. R. H. Dyer's, and Thomas Williamson's Regiments; and cause to be noted on the Rolls, the distance of the Company Rendezvous from this place, when they were mustered into service. John B. Hogan Esq will make payment to the troops as they are mustered, agreeably to the law under which similar troops were paid during the war, and recognized by a late act of Congress.

The Contractor and Quartermaster's Department will issue to Companies as they are paid, one day's ration of provisions and forage, for every twenty miles, to their respective Company Ren-

7830

-dezvous. On receiving these supplies, they will consider themselves as honourably discharged the service of their Country, and march to their homes. The dignified and honourable deportment of these troops, during a long and toilsome campaign, heightened by the recollection of their having borne without a murmur, fatigues and privations of the most aggravated nature, has been a source of extreme satisfaction to their General, and excited wonder and admiration in their Countrymen. With what delight does he retrace their steps through the trackless wilderness, and find so few taken from their numbers by the ruthless hand of death. — To yield them again to the bosom of their friends, clothed with honor, however threadbare their garments, has been his constant aim; and he bows in gratitude to Heaven that his exertions have been crowned with success. —

Your General in parting from

you now, recommend a Continuance of your examplary Conduct, on the march to your homes, that the mouth of ill report be not opened against you; and feels Constrained to remark that, in all probability, you have met him in the tented field for the last time. He feels admonished by time, and a shattered constitution, to seek for domestic ease, taking with him a conviction that your Country will ever find you ready to protect her in the hour of danger.

By Order (signed) Robert Butler
Adjt General

Copy
Robert Butler
A. Genl.

7831

Genl. Order 26 June 1818
at Columbia Tennessee

June 27th 1818.

Dear General

You will, I presume, before this reaches you, have been informed that the President of the United States has appointed you and myself Commissioners to Confer and treat with the Chickasaw tribe of Indians for that portion of their Country which lies in the States of Kentucky, and Tennessee &c and the time and place of holding the treaty is left to us to determine.

A Commission for that purpose embracing both our names with instructions have been forwarded to me, by the Secy of War, of which I have no doubt Duplicate Copys have been sent on to you also. I am however requested by the Secretary of War to give you this information — and herewith inclose to you copies of the Commission — and of two letters addressed to me from the Department of War on that subject.

Your knowledge of the Chickasaw tribe and of the intermediate Country will enable you to fix on both the time and place for holding the treaty better than from any suggestions which I could make. I must therefore My Good Sir request

7832

June 27th 1818.

request the favour of you to make all the necessary arrangments for carrying this treaty into effect. and by giving me due notice I will attend provided the distance is not too great for me to travel — for I sensibly feel the infirmities of Old age — and I could not undertake a Journey much beyond Nash Ville, or to some suitable place about the dividing of the Waters of the Cumberland and Tennessee rivers.

I beg leave to suggest the propriety of sending some special messenger in whom you can confide to confer with the Chickasaw Chiefs and arrange with them for the time and place, which you may fix upon for holding the treaty — so that no misunderstanding or delay can take place

I have the honour to be with the highest respect, Esteem, and regard, your friend
And most Obt Servant
Isaac Shelby

Major General
Andrew Jackson

7833

Governor Shelby
Letter 24th. of June recd
3rd. July 1818 — A.J.

H^d. Quarters
Fort Gaines
June 28th. 1818

Sir

The towns of Ufaula & Oke,te,ok,ny having divided their supplies of provisions with the families of the hostile Warriors of several towns (Red Ground, Dry Creek & others) and being for the most part destitute of ~~subsistence~~ the means of subsistence, and their Women & Children reported to be suffering with hunger, you will order the Ufaula Mecco, & Ouis haijo, Chiefs of those towns, to be furnished with six barrels of flour and three barrels of pork each, together with four Gallons of salt; which they are directed to divide equally amongst those who are most in want.- Should the supply at Fort Scott be too limited to admit of this issue at once- part may be delivered upon the receipt of this, and the residue when an additional supply arrives from Fort Gadsden; keeping in view the Genl. Order of the 20th. Jany. last.

Yo. Mo. Obt. St.

(Signed) Edmund P. Gaines
Major Genl. by Brevt.
Commg.

To the
Commg. Officer
Fort Scott

Certified
Jno. M. Glassell
A.A. A. Gen

7834

No. 4

Gen. Gaines to Gen. J.

28 June 1818 —

at fort Gaines. —

(Copy)

No. 6.

No. 1. Exchange $1.000 dollars.

Franklin June 28th. 1818.

At sight of this my first Bill of Exchange (my second of the same tenor and date not paid) pay Mathew D. Cooper cash. of the Branch Bank of the State of Tennessee at Franklin, or order one thousand dollars & charge the same to account of the pay department as per letter of advice of June 28th. 1818.

(signed) Andrew Jackson
Major Genl. Comdg.
D. of the South.

The Honble.
J. C. Calhoun
Secy. at War.

7837

(Copy)

August 1818.

Pay to the order of
William Banks,
M. D. Cooper Cash.

Pay to the order of Mess.rs
Macdonald & Ridgely, Baltimore
William Banks.

Macdonald & Ridgely

Pay John A. Hambleton, or order.
Bowie & Kurtz

Received payment of Robert Brent, Esq., Paymaster General, 5th Aug.t 1818.
Jn.o A. Hambleton

June - 30th 1818

Estimate of money required by Bt. Majr. Donman command working at making a Military road through the Alabama Territory ———

Cash due the Actg. Qr. Master for the Quarter ending 31st March 1818 ——	177 - 25
Cash due the actg. Qr. Master for the Quarter ending the 30th June 1818 ——	189 - 50
Total due ————	366 -
Money required for paying Fifty men for one hundred and eighty two day extra labour each at fifteen cents pr. day ———	1365 -
Money required for contingencies ——	1271 - 25
Total Required ———	3000 - "

A. Hum. Camp
Bt. Ch. Infty. Actg. Qr. master

7839

Estimate for
Contingencies
of
for
Bt Majr Dorman's
Command

ordered Capt [illegible]
to pay on the written
Estimate the sum
of $839.25

Columbia June 30. 1818.

Dr. Sir

I have the pleasure to inform you that your bills for $30,000. have been taken by our bank. I shall have Mess Hogans receipts this evening and will send them to you by the first safe opportunity.

P.S. The directors have this moment decided Yr. order waiting.

In haste
yr friend
James Walker

Genl. Andrew Jackson

7841

From James Walker
dated Columbia
June 30th 1818

Copy

Adj. & Insp. Generals Office
July 2d 1818

General Orders

The Topographical and Assistant Topographical Engineers are arranged to the Engineer Department, and are made subject to the Orders of the Chief and Commanding Engineer.

When orders are given to such as are now attached to the Command of any General, the communications will be made through him.

By order
Signed, D. Parker
Adj. & Insp. Genl.

Engineer Department
14th January 1819

true Copy

Geo. Blaney
Lieut Engineers

7844

An Order from the
War Department attach-
-ing the Topographi-
cal Engineers to the
Corps of Engineers—
dated July 2d 1818

July. 2nd 1818.

Fort Gadsden 3d July 1818

Sir

Enclosed you will receive a monthly Return of the 7th Regiment of Infantry for the month of June 1818.

You will receive a Report of the Troops in this District as soon as I ~~return~~ receive the returns from the different Posts.

A Ship loaded with Corn for this Post was lying at anchor near the Bay. where she had been unloaded of something upwards of one thousand Bushels, she disappeared about the 21st ultimo and I fear has been taken by some Piratical Cruiser.

I am Sir

Very Respectfully

Yr Obt Servant

M. Arbuckle

Lt. Col. Commdg South Western District Georgia

Colol. Robt. Butler

Adjt. Genl. S. Division

Nashville Tenessee

Turn Over

7847

P.S. Lieut. McDonald of the 7th Regiment of Infantry is at Fort Bowyer, & Lieut. Berryman at Petite Coquille, they are on duty at those posts and may not be released for some time without the interposition of a Division order they are greatly wanting with their Regiment.

A. Arbuckle
Lt. Col. 7th. Infy.

From
Col. M. Arbuckle
3d. July 1818—

with returns &c.

and relates to 2 Lieut.— of his Regt—
to be attended to

Colonel Robert Butler
Adjt. Genl. Southern Divisn.
Washington

Mail

Public Service

Public Service

Colonel Robert Butler

Adjt. Genl. Southern Divis.

Nashville Tennessee

Mail

From

Col. M. Arbuckle

3d July 1818

with returns &c.

and relates to 2 Lieut. of his Regt.

[illegible]

Columbia 6th July 1818

Sir,

I shall complete the payment of the Tennessee Brigade to day, they would have all been paid yesterday but three companies from this neighborhood (Andrews, Hunters & Crawfords) had been dispersed by their own officers; every Field and Staff Officer was paid last week — I have not made an estimate of what will be sufficient to pay those three companies but hope I shall have enough to finish with. I enclose you a copy of two letters from the Paymaster Genl. which relates to drafts being drawn on him for $50,000 to complete, as he intended, the payment of those troops — there will be no necessity for that draft unless you direct me to pay the Alabama Militia.

You will see by Mr. Brents letter that the Creek Agent has been directed to pay off the Warriors and funds have been put in his hands for that purpose. —

I applied for a transfer to the 4th. which Mr. Brent informs me has taken place subject to your approbation, I hope it will meet your approbation and confirmation — My family I left at Fort Montgomery, I have received a letter from Mrs Hogan informing me of Colo. King's having removed his family and of her desolate situation and bad health; I am extremely anxious to return immediately before the sickly season commences and remove them to Pensacola or St. Stephens — Should you have no

7849

further orders for me, as soon as I close my accounts here I will proceed to Fort Montgomery.

I am with much respect

Your Obedt. Servt.

John B Hogan
P.M. 2d Inf

P.S.

Should I be ordered to pay the Militia of Alabama it would be well to call for the funds at Huntsville as I go down. —

Major General
Andrew Jackson

Since writing the above I find I shall have
five or six ~~hundred~~ thousand dollars left in
my hands owing to absentees a list of which
will be sent to Col Butler in a few
days. You will say how I shall dispose
of the balance. The Banks here are very
anxious I should take it out of the state
as the men are calling for specie
contrary to your orders

I have this moment rec.d ~~[illegible]~~ another letter from the pay Mast General W H Crawford Copies of both are enclosed

7850

From
Maj John B Hogan
Pay Master 4th Infantry
dated 6th July 1818

Pensacola 2
7 July 1818

John B Hogan
P.M. 7 Inf.

1 1/4 Oz 50

Major General
Andrew Jackson
Nashville
Tennessee

[illegible] 2
7 July 1818

1¼ Oz 50

John B Hogan
P. Mr. 4 Inf.

Major General

Andrew Jackson

Nashville

Tennessee

From
Maj John B Hogan
Pay Master 4th Infantry
dated 6th July 1818

Columbia 7 July 1815

Sir

The Tennessee Brigade are paid with a few exceptions of stragglers who are coming in daily. a list of such as is unpaid I will forward to the adj Genl. office at Nashville. I shall have a few thousand dollars left the exact amount I do not know as my cash account is unsettled. would it not be well to pay over to Major Nicolas a few thousand dollars in order that the sick & wounded may obtain their pay without sending to Washington. should you think proper to order Major Nicolas to receive funds for that purpose from me he can send his blank duplicate receipts to the Cashier (Major Graham) of the bank where the Mony is deposited. as this bank has been particularly accommodating if any advantage is to be derived they should [illegible] should I be ordered to pay the Militia [illegible] are anxious I should take a [illegible] few thousand dollars [illegible] their their Mony to those [illegible] as [illegible] would prevent their Specie being drawn out of their bank.

Should you have no further orders for me I will proceed to join my Regt. as soon as my accounts are closed here

7851

Col Dyer requested me to not pay Captain Andrews untill you have decided on the proceedings of the Court Martial which tried him. Andrews is awaiting his fate. Should I not hear immediately from you I will pay h[illegible]

I am with great respect
Your Ob Sevt
Saml B Hogan
Pay M. 7 Inf

Major Genl Jackson

Maj
Pay (
dated

7852

[illegible] 7th July

John B. Hogan
P.M. 7 Infy

Major Genl. Andrew Jackson 10

Nashville

Maj J. B. Hogan
Pay Master 4th Infy
dated 7th July 1813

*7852

Adjt. & Insp. Genl. Office
10th July 1818.

General Order

The resignation of Dr. Saml. C. Muir Post Surgeon is accepted to take effect 1st of August 1818. —

By Order — D. Parker
Adjt. Genl.

Note — a copy is sent to the commdg. officer of the 9th Dept. D. P.

7853

Genl Order

10 July 1818

Resignation —

Dr. C. Muir

July 11th 1818

Ass. Adj. Gl. office
St Stephens 11th July 1818

H. Q.
D. South

Sir

Major Genl Gaines being just apprized of your being in Mobile directs me to say that you will remain either at that place or Fort Montgomery until such time as the state of our relations with the Indians or other enemy on our Southern frontier may render it safe when you will proceed to the duties assigned to you from the Head Quarters of the southern division — Colonel King will inform you when the prosecution of that duty may be deemed safe and you will take frequent occasion to correspond with him on that subject reporting at least monthly to this office.

Permit me &c &c

I have the Honour &c

J. M. Glassell
Ast. Ad. Genl.

True Copy
P. H. Perrault
Major

Major P. H. Perrault
Topl. Engineer

7855

Maj. Gen. Gaines instruction to Maj. Perrault, Topog. July 11th 1818.

(Copy)

No. 9 Gnl. Gaines's order July 11. 1818

Copy

H. Q. [illegible] Division

Sir

[illegible] 11 July 1818

Major [illegible] [illegible] [illegible]

[illegible] in [illegible] that you [illegible] Fort Montgomery [illegible] the [illegible] of our relations [illegible] or our Southern [illegible] [illegible] may render it [illegible] to [illegible] you [illegible] from the Head Qurs. [illegible] inform you when the [illegible] of that duty may be [illegible] and you will [illegible] frequent occasion to correspond with the [illegible] on that subject regularly at least monthly to this office.

[illegible]

I have the honor &c.

[illegible] Adj. Gen.

True Copy P.H. Perrault
Major [illegible]

Major P.H. Perrault
Top'l Engineer

Nashville 11th July 1818

H. Q. D.
D. S.

D. Sir

I have spoken to Maj. Genl. Jackson on the subject of your being retained in Service — He approves of the measure and I now inclose you his letter to that effect — As soon as your accounts are arranged and the D. Q. M. G. Maj. Mason reaches Nashville the Genl. will place in your hands a sufficient sum of money to pay for all the Guns which have been press'd into the Service of the United States — This duty will necessarily take you on to the neighbourhood of Huntsville and then pursuing our old route as far as the South side of the Talapoosee — I am of opinion that Three Thousand will be sufficient to liquidate the whole claims — I should not do justice to your intrinsic worth as well as to my own feelings if I did not return you my warmest Thanks for the prompt & military manner in which

7856

the business of your Ordnance Department was conducted while I continued in the Command of the Ten. Brigade — and it affords me great pleasure to inform you that during the period you acted under the immediate Command of Maj. Gen. Jackson your conduct has also met with his entire approbation

I have the Honor to
be very Respectfully
your Obt. Sev.
A P Hayne
Insp. Gl.
U. S. A.

To
Maj. William Harris
A. D. Q. M. D.
Ten. Militia

P. S.

Yours
Col. S
they
place
Take

7857

P.S.

In making your estimate for Guns recollect to include the account of Col. Lapprade & Mr Ross Both of Ft Jackson they took Charge of the Dick left at that place And I imagine that it will take near 500$ to cover their accounts

A. H.

7857

Signed a requisition
for 3500 agreeable
to the within order of
Col. A. P. Hayne

A Jackson

1818

Fort St. Marks
July 12. 1818.

Dear Sir

Although it be not in my power to address you officially, I am persuaded that to hear directly from this post from time to time, will not be disagreeable — You, no doubt, received my former letter. Since its date nothing of importance concerning this Fort has transpired. — Some small parties of Indians that lurked near this since I last wrote, are now gone. They shewed no other disposition than to steal, but, had we given them an opportunity to plunder, no doubt they would have done so. — We gave them daily opportunity of fighting, but they continually avoided our detachments in search of them.

We have had seldom communication with Ft Gadsden, and we have scarcely yet received any thing

7858

complained of the
condemnation to the ^ troops — The Infantry has not yet received its clothing, and we have neither medicine nor hospital Stores — The Supply sent from Fort Gadsden was, I am apprehensive, much inferior to your directions — we have had much sickness here — The situation is not unhealthy, but the measles has been generally through the troops —

In order to facilitate the communication between the two posts & procure contacts, at least, the Commissary necessary, I have built a swift despatch boat, of thirty feet length, which I now send to Ft Gadsden for the Infy Clothing, and want nothing but authority to send her often, giving & obtaining every necessary information

You would render us a great service by ordering a pay master here with funds. My Company has

never been paid and has nearly eighteen months due, and for want of it to pay our Sutler we are deprived of those little things called comforts, such as, Tea, Coffee, Sugar &c

The term of service of the Infantry is fast expiring, several have been already been discharged

List of Hospital Stores sent from Ft. Gadsden.

100 lbs Sugar
10 lbs Coffee
2 lbs Tea
4 Gall. Wine
4 Gal. Brandy
20 lbs Rice

and medicine barely sufficient for the quarterly supply of a private family

I am Sir, with the
most perfect Respect
Yr. Obt. St.
Alx. C.W. Fanning

1859

Maj. Fanning
to
Letter
Genl Jackson
12 July 1818.

Major Fanning's
Letter to be ...

Maj. Genl
Andrew Jackson
Commanding S. Division
Nashville
Ten.

Fort Hawkins
1 Augst 1818

50

Major Gen
Andrew Jackson
Commanding S. Division
Nashville
Tenn

Major Fannings
letter to be kept

Maj: Fanning
To 3 Letter
Genl Jackson
19 July 1818

July 13. 1818.

Since writing my letter we have received a despatch from Lt. Col. Arbuckle, Comdg at Ft. Gadsden; He informs me that the Schooner James is despatched with the clothing of the Infantry, and of the desertion of Peter Cook & Corpl. Marshall — we have taken them while making their way to Suwaney or Tampa Bay — I shall send them round to Ft. Gadsden in the Schooner or despatch boat.

A. C. W. F.

7861

Robert Butler
Adjutant Genl.

Cincinnati July 17th 1818

Sir

On the 17th of April last I addressed a letter to you at Nashville, but having never received any reply to it, under the impression that it has never reached you, I now beg leave to trouble you with a duplicate of it, (viz)

"Some time ago at the request and in behalf of Thomas Cole late a private in the 24th Regt. U. States Infantry, I forward his honorable discharge in a letter to the War Department, for the purpose of obtaining his patent for Military Bounty Land, his Hon'ble discharge has been duly been forwarded to the War Office, I have a copy of it now before me and it appears that he belonged to the late Capt John A. Rogers company, that he enlisted on the 12th day of August 1812 to serve five years, that he at his own private expense enlisted

7864

Jeremiah Foley, to serve for five years
that Foley, was regularly mustered and quali-
fied. The discharge is signed by yourself
and dated at Nashville the 5th day
of January, 1817. In reply to my letter
it was stated from the War Department
that Cole was not entitled to his Patent
until it was shown, that Foley had
served faithfully out the time (which
would be up to the 12th day of Augt
1817) for which Cole had originally
engaged to serve.

Permit me to request
that you will have the goodness
to forward to me by mail a certi-
ficate of the service of Foley up
to the 12th day of Augt 1817 which
will enable Cole to obtain his
Bounty Land.

Your compliance will confer
a particular favour upon
Cole and oblige Sir your
most obt humble
servant

Samuel D. [illegible]
at the request &
in behalf of
Thos Cole

From Saml. F. Hunt

July 17th 1818.

Relating to Thomas Cole.

Answd. that his substitute deserted which destroys his claim for bounty land.

4 August. 1818.

Mail

Robert Butler Esquire
Adjutant General
U. States Army
Nashville
Tennessee

CINCINNATI (O.)
JUL 18

Paid 18¾

7865

From Land & Rents

July 17th 1818.

Relating to Thomas Cole.

Answ.d that his substitute deserted which destroys his claim for bounty land.

1st August. 1818.

Mail

Robert Butler Esquire
Adjutant General
U. States Army
Nashville
Tennessee

Pd. 18¾

CINCINNATI (O.) JUL 18

1865

Adjt. Genl's. Office
St. Stephens 17th July 1818

N. Dn. E. S.
D. South

Sir

I have the honor to enclose you the record of the proceedings of a Court of enquiry in the cases of Capts. Donoho & Corbally; — Those proceedings from the nature of their origin, have not been acted on by Major Genl. Gaines, but sent for that purpose to the Head Qrs. of the Southern Division.

I have the honor to be
Very Respy
Yr. Obt. Sert.
J. McGlassin
Actg. A. A. Gen.

Colonel Robt. Butler
Adjt. Genl. S. D.

<u>Private</u>

Dr. Col.

You have doubtless expected my ~~report~~ monthly return and as I do not know that I have a good excuse, will give it for your <u>private</u> <u>ear</u>. — Leaving Fort Gaines under an expectation of merely going to Fort Jackson & immediately thence to Fort Hawkins, I ~~sent~~ sent on the Office from Ft. G. to Fort Hawkins, of course the monthly reports went along, it can be of no <u>real</u> injury to the service, as I had no reports of a later date than January, except Forts Gadsden & Scott.

We leave here tomorrow for Pensacola, whence we

7866

will proceed to Fort Hawkins, & probably down to Fort Scott; which, I assure you, I am satisfied not to visit too frequently. — I wrote to Gadsden by Col. Wm. P. Anderson. I spent the 4th July in your town of Alabama, where we heard a very eloquent & appropriate address, on the occasion from Judge Bibb. who painted in vivid colors the affairs of Talledega, Tehopeka, N. Orleans &c. — It was convenient ground for the subject, & he managed it well. remember me to the Gov. &c. Yours truly Jas. G.

From Maj. James McGaskell
Dated. 17th June and July
1818.

Private -

Answered the 10th Sep. 1818

(Private)

D. Sir,

You have doubtless expected my report [illegible] ere [illegible]

and as the last [illegible] that I have a good excuse, [illegible]

it for your private use. — Having left Fort [illegible] under an ex-

pectation of [illegible] going to Fort Jackson & immediately thence

to Fort [illegible], I [illegible] on the [illegible] from [illegible] to

Fort Hawkins, [illegible]

it [illegible] to the [illegible]; as [illegible] the

reports of a letter stated [illegible] January, [illegible] Fort [illegible]

& Scott.

We have [illegible] for Pensacola [illegible]

St Stephens A. T.
July 17th 1818

General

The general court martial of which Lt. Colo Lindsay is president completed its proceedings in the case of Colo Brearley and adjourned sine die on the 20th last month. The absence of Lt. Colo Clinch by an order as he reports from the department of War, affording ground to conclude the court of inquiry could not proceed in the case of Lt. Colo Arbuckle without your further order; I did not deem it proper to make any objection to the departure of Lt. Colo Lindsay to Kentucky upon the recruiting service.

I ordered Major Nicks with five other officers of the 7th to establish a recruiting rendezvous in the city of Philadelphia and having given the orders of which I inclose copies herewith no. 2 & 3. I on the 26th set out for this place via Fort Jackson.

On my arrival at Fort Gaines I sent for the Ufaula Micco, and Onishago, and urged them to an amicable adjustment of their differences - the former agreed to pay the latter for the property taken and destroyed by the Ufaula warriors. These warriors had the good fortune the day they met me to catch near their Town the notorious Micco-doxy, who was executed by order of the Ufaula Micco in presence of several of his warriors

7867

who accompanied him to the Forts, and bore testimony to the truth of the report of their chief. most of the followers of Miccadoxy had left him; the few that remained hostile are reported to be near the mouth of the Choctaw hatchie. The Eufaula micco. and Onishoss have engaged to bring them over, or destroy them. The Towns of these friendly chiefs are filled with families of the hostile party, princip=ally of the tribes or parties of Conchatta micco and Miccodoxy. upon the representation of the Chiefs and of the inhabitants of the Chattahoochie, that those Indians were destitute of provision as well as of the means of procuring a supply. I ordered the commanding officer at Fort Scott to furnish each of the Towns (Ocktaokene & Eufaula) with six barrels flour and three barrels Pork each; I enclose a copy of the order No. 4. On my march to this place I received from Lt. Col. Arbuckle a communication enclos-ing a letter from Major Twiggs of which I enclose a copy No. 5. By this letter it appears that the Spaniards have sent a war talk from St. Augus=tine to the Indians under McQueen at Sowan-ny. I have directed the troops at Forts Gadsden, Scott, and St. Marks to be held in readi

readiness for the field and the boats fitted up for service; and shall take an early occasion to break up the settlement at Suwanny.

In the hope that I may be permitted to act against St Augustine, I shall return to Fort Hawkins in the next month — and thence to Amelia Island — I hope to receive your commands at Fort Hawkins. I shall visit Pensacola in a few days from whence I shall report to you.

I thank you for your very acceptable letter from Fort Montgomery — If I am permitted to visit St. Augustine, untrammeled by contractors and countermanding orders I pledge myself that the officers & men of that part of your Division which I have the honor to command, will do their duty.

With the highest respect, your Obdt. Servt.

Edmund P. Gaines,
Maj. Genl. by Brevet

Maj. General
Andrew Jackson
Commander in chief
Division of the South.

7868

From Gen. Gaines, Aug 7, 1818.

Information respecting the Gen. Court Martial for trial Col. Brearly — Maj. Hicks ordered to establish Recruiting Rendezvous at Philadelphia — various ~~other~~ subjects.

General Andrew Jackson

Extract from Mr. Monroe's letter to Genl. Jackson
dated Washington, July 19th. 1818.

"Dear Sir,

I received, lately, your letter of June 2d. by Mr. Hambly, at my farm in Loudon, to which I had ~~retired~~ retired, to await your report and the return of our Commissioners from Buenos Ayres. In reply to your letter, I shall express myself with the freedom and candour, which I have invariably used in my communications with you. I shall withhold nothing in regard to your attack of the Spanish posts, and occupancy of them, particularly Pensacola, which you ought to know, it being an occurrence of the most delicate and interesting nature, and which without a circumspect and cautious policy, looking to all the objects, which claim attention, may produce the most serious and unfavorable consequences. It is by a knowledge of all the circumstances, and a comprehensive view of the whole subject, that the danger to which this measure is exposed may be avoided, and all the good, which you have contemplated by it, as I trust, be fully realized.

In calling you into active service against the Seminoles, and communicating to you the orders, which had been given just before to Genl. Gaines,

7868-a

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the views and intentions of government, were fully disclosed in respect to the operations in Florida. In transcending the limit prescribed by those orders, you acted on your own responsibility, on facts and circumstances, which were unknown to the government, when the orders were given, many of which occurred afterwards, and which you thought imposed on you the measure, as an act of patriotism, essential to the honour and interests of your country.

The U. States stand justified in ordering their troops into Florida in pursuit of their enemy. They have this right by the Law of nations, if the Seminoles were Inhabitants of another country & had entered Florida to elude our pursuit. Being inhabitants of Florida, with a species of Sovereignty over that part of the Territory and a right to the soil, our right to give such an order is the more complete and unquestionable. It is not an act of hostility to Spain. It is the less so, because her Government is bound by treaty to restrain by arms, if necessary the Indians there, from committing hostilities against the U. States.

But an order by the government to attack a Spanish post, would assume another character. It would authorize war, to which by the principles of our constitution, the Executive is incompetent. Congress

alone

7868-b

alone possess the power. I am aware; that cases may occur, where the commanding General, acting on his own responsibility, may with safety pass this limit, and with essential advantage to his country. The officers & troops of the neutral power, forget the obligations, incident to their neutral character; they stimulate the enemy to make war; they furnish them with arms and munitions of war to carry it on; they take an active part in other respects in their favor; they afford them an asylum in their retreat. The general obtaining victory, pursues them to this post, the gates of which are shut against him. He attacks and carries it and rests on those acts for his justification. The affair is then brought before his government, by the power, whose post has thus been attacked and carried. If the government, whose officer made the attack, had given an order for it, the officer would have no merit in it. He exercised no discretion, nor did he act on his own responsibility. The merit of the service, if there be any in it would not be his. This is the ground, on which this occurrence rests, as to the past. I will now look to the future."

7868-b

No. 1. Extract.

Mr. Monroe

to

Genl. Jackson

July 19. 1818.

Baton Rouge
July 20. 1818 –

Col. Robert Butler

Sir,

I have the honor to inform you that on my arrival in this Department I was ordered by the commanding General to discharge the duties of Asst. Adjt. Genl. untill the arrival of Major Willis. I concluded, as this order was issued in June, that Departmt. returns had been made for the first Quarter of the present year, and waited the reception of the monthly returns for April and May, untill ordered to accompany the General to this place.

As I passed through New Orleans, I called on Major Lavall, who last discharged the duties of Asst. Adjt. Genl., to make enquiries respecting the duplicate of the Quarterly return, which I did not find among the papers of the Office – He informed me that he performed the duties but a short time, and had no returns to make; but was of opinion that the returns had not been made. If this is the case I trust

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trust that the circumstances will be considered an apology for my not having forwarded them, and shall endeavour, on my return to the Bay of St. Louis, to make out and forward, with as little delay as possible, correct returns for the first quarter, and the subsequent months for which returns from the different posts shall have been received.

Very respectfully
I am, Sir,
Y. Mo. Ob. Servt.
L. Whiting
Act. Asst. Adj. Genl.

BATON R.
JUL
27
LA.

On Service

25

Col. Robert Butler
Adjt. Genl. S. D. U. S. Army

Nashville
Ten.

July 20th 1818.
Wm. [illegible]
A. A. Genl.
[illegible] 1818

31
47

7870

7870

July 20th. 1818.

From D. Whiting

A. A. A. Genl.

Answered 2d. Septr. 1818

47
—
31

On Service

25

Col. Robert Butler

Adjt. Genl. S.D. U.S. Army

Nashville

Ten.

BATON [ROUGE]
JUL 27
LA

War Dept., 21st July, 1818

Sir,

I have the honor to enclose for your information an Abstract of all the letters received from you since February last.

Apprehensive that some of your communications may have miscarried, I have to request that you will render Duplicates of those not received by the Department and particularly of the Correspondence with the Commandant of St. Marks, the Governor of Pensacola, previous to your arrival at that Town, the 23d of May and of the trial of Arbuthnot, Ambrister, &c, and, generally, of all communications that you may perceive by the Abstract enclosed have not reached this Department.

I have the honor to be,
Your most obedt. Servt.

J. C. Calhoun

Majr. Genl. Andrew Jackson,
Nashville,
Tennessee.

7871

From Sec War

26 Feb 1818

Enclosing abstract of letters

rec.d since Feby. last.

7872

[illegible]

Camp [illegible]

[illegible]

Dear General

[illegible]

[illegible]

[illegible] my departure from [illegible]

[illegible]

[illegible] since the departure of the [illegible]

for the Creek country [illegible] by Fort Scott

[illegible] I suppose they [illegible]

[illegible] Fort [illegible] by the [illegible] of the

[illegible] which may be [illegible]

[illegible] from [illegible] being captured

by the numerous [illegible] which

[illegible]

[illegible] the [illegible] of

Pensacola [illegible] the first [illegible]

[illegible] been in [illegible]

[illegible] that [illegible] be [illegible]

an [illegible] displaying their

military [illegible]

expectations [illegible]

[illegible] must be too much in [illegible]

[illegible] prosperity [illegible]

7873

way with Americans which may [illegible]

by the [illegible] terminate

[illegible]

[illegible]

[illegible] the [illegible] of the

[illegible] Montgomery

passed this [illegible] on the 6th Inst in the

Steam Boat [illegible] for [illegible]

They have [illegible] by the discharge

[illegible]

the [illegible] Board of the [illegible]

[illegible]

[illegible] of the [illegible]

[illegible] left [illegible] on the 14th Inst

in the Washington [illegible] for Boston where he
intends embarking immediately on
board the Fanning for Russia —
Speculation is the Academy [illegible]
we are in hopes at present and it should
remain so until the 1st of Sept next
the [illegible] is [illegible] at present [illegible]
it is unnecessary [illegible] I presume without
[illegible] that he intends leaving the
Academy — I received a letter from
brother [illegible] he is now
at Yale College [illegible] of me
but I have not the means of seeing him
Mr [illegible] he respects
to you [illegible]
Please remember me to [illegible]
Jackson, and [illegible] of my friends
To say [illegible] to them [illegible] he [illegible]
I have [illegible] an [illegible]
[illegible] to this
place — With sincere wishes for
your future happiness —

Yours &c

C. G. W. [illegible]

Presdt Jackson

7874

Cadet Butler
July 23rd 1818.

E. Butler
22 July 1818

West Point
22 July 25

[illegible]

E. Battle's letter
– 22 July 1818

Cadet Battle
July 23rd 1818

Adjt. & Insp. Genl. office
23rd July 1818 -

General order

It being officially reported to the War Department that 1st Lieuts. G. B. McClaskey, J. C. Wells, J. R. Clark and W. F. Taylor of the 4th Infantry have never joined the Regiment or reported, a good cause for their neglect, they are dismissed the service conformably to General orders of May 17th 1816 and are not considered entitled to pay since the publishing of that order. -

By order
D. Parker
A. I. Genl.

Note. A copy is sent to Genl. Gaines.

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General Order
July 23d. — 1818 —
Lts. G. B. McClaskey
J. C. Kelly —
J. R. Clark
& W. F. Taylor
4th. Infantry
dismissed from service

7876

Adjt. & Insp. Genls. Office
July 23rd 1818.

Genl. Order

First Lieutenant M. S. Massey of the 1st Battalion Corps of Arty. North Division is transferred to the 4th Battalion Corps of Arty. South Division — and first Lieutenant J. Green of the 4th Battalion Corps of Arty. South Division is transferred to the 1st Battalion Corps of Arty. North Division — this arrangement is made at their mutual request and they will report to their respective commanding officers accordingly.

By order

D. Parker

Adjt. & Insp. Genl.

Adjt. & Insp. Genls. Office
April 28th 1818

General Order

2d Lieut. Lendrum of the 4th Battalion Corps of Arty. South Division is transferred to the 3d Battalion Corps of Artillery N. Division in the place of 2d Lt. Scott

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General Order

July 23 - 1818

Lt. Massey — transferred to the South, and Lieut. Green to the north Division. —

Lt. Henderson transferred to the 3d Battalion. —

Copy Attest: —

July 23: 1818

See note on the other side

This paper was returned on my receiving the [illegible] report, and I am unable to account for it — this however seemed not official as your name comes [illegible] the [illegible] of some other General

[illegible]

A. General

Endorsed by

Lt. Col. Lindsay

who is transferred to the 4th Battalion South Division

These transfers are made by mutual agreement & at the request of the officers

Lieut. Green will obey the orders which have been given to Lieut. Henderson, who will report for duty to the commander of the [illegible] Division

(47)

Don Louis de Onis, Envoy Extraordinary and Minister Plenipotentiary from Spain.

Department of State
Washington 23^d July 1818.

Sir,

1 I have had the honour of receiving your letters of the 24th June and 8th instant complaining of the conduct of Major General Jackson in entering west Florida with the forces under his command, taking the Spanish Posts of St Marks and Pensacola, &c

2 Without recurring to the longstanding and heavy causes of complaint which the United States have had against Spain, to the forebearance with which they have been borne, without despairing of obtaining justice from her by amicable means, to the efforts equally unceasing and unavailing which they have made to obtain that justice, or to the extraordinary delays by which it has been protracted and is still withheld, it is thought proper on this occasion to call your attention to the series of Events which necessitated and justified the entrance of the troops of the United States, upon the Spanish boundary of Florida, and gave occasion to those transactions of the Commander of the American forces against which you complain.

3 It cannot be unknown to you that for a considerable time before the Government of the United States issued the orders for military operations in that quarter, the inhabitants of their frontier had been exposed to the depredations, murders and massacres of a tribe of savages, a small part of which lived within the limits of the United States; far the greater number of them dwelling within the borders of Florida. The barbarous unrelenting and exterminating

character

7878

character of Indian hostilities, is also well known to you and from the peculiar local position of these tribes, it was obvious that there could be no possible security for the lives of the white Inhabitants of those borders, unless the United States and Spain should be reciprocally bound to restrain the portion of the Indians respectively within their territories from committing robbery and butchery upon the Citizens and Subjects of the other party. So forcibly was this necessity felt by both, that in the 5th Article of the Treaty of 27 October 1795, the following remarkable stipulation is contained. "The two high contracting parties shall by all the means in "their power maintain peace and harmony among the several "Indian Nations who inhabit the Country adjacent to the "lines and rivers which by the preceding articles form the "boundaries of the two Floridas: and the better to obtain this "effect both parties oblige themselves expressly to restrain "by force all hostilities on the part of the Indian Nation living "within their boundaries; so that Spain will not suffer her "Indians to attack the Citizens of the United States nor the "Indians inhabiting their territory; nor will the United "States permit these last mentioned Indians to commence "hostilities against the Subjects of His Catholic Majesty or "his Indians in any manner whatever."

4 Notwithstanding this precise, express and solemn compact of Spain, numbers, painful to recollect, of the Citizens of the United States inhabiting the frontier, numbers not merely of persons in active manhood, but of the tender sex, of defenceless age, and helpless infancy had at various times been butchered with all the aggravations and horrors of savage cruelty, by Seminole Indians, and by a banditti of Negroes

sallying

sallying from within the Spanish border, and retreating to it again with the horrid fruits of their crimes.

5 At a former period, the Governor of Pensacola had been called upon by a letter from Major General Jackson conformably to the stipulated engagement of Spain and to the duties of good neighbourhood to interpose by force and break up a strong hold of which this horde of Savages and fugitive slaves had possessed themselves on the territory of Florida. The answer acknowledged the obligation but pleaded an incompetency of force for its fulfilment. Copies of these important documents are herewith transmitted to you, and it may be within your knowledge and recollection that the orders and the competent force which Governor Zuniga stated in his letter that he had solicited from his Governor General, and without which he declared himself unable to destroy this fort, erected upon Spanish territory, for purposes of united civilized, savage and servile War against [the United States] the United States [was never furnished, and that] were finally compelled to accomplish its destruction by their own force.

6 The permanent and unvarying policy of the United States with regard to all the Indian tribes within their borders, is that of peace, friendship and liberality and so successful has this policy been, that for many years, no instance has occurred of their being in hostility, with any Indian tribe, unless stimulated by the influence of foreign incendiaries. Even after the repeated commission of these depredations and Massacres by the Seminole Indians, at the very moment when the Government of the United States was reluctantly compelled to employ their own military force for the protection of their people, offers of peace were tendered to them and rejected.

7 Nor has the respect manifested by this Government for

the

the territorial rights of Spain been less signal and conspicuous. Even after the full and formal notice by the Governor of Pensacola of the incompetency of his force either to perform the duties of neutrality or to fulfil the obligations of the treaty, when it became necessary to employ the Military force of the United States for the protection of their frontier on the 30th of October last the commanding officer in that quarter, while directed to take other measures for suppressing the hostilities of the Indians, was expressly instructed not on that account to pass the line and make an attack upon them within the limits of Florida, without further orders. - On the 2d of December instructions to the same effect were repeated. - On the 9th of December they were again renewed with the modification suggested by the continuation of Indian outrages, that should the Indians assemble in force on the spanish side of the line and persevere in committing hostilities within the limits of the United States, the american officer was authorized in that event to exercise a sound discretion as to the propriety of crossing the line, for the purpose of attacking them and breaking up their towns. On the 16th of December, upon information that an Officer of the United States with a detachment of forty men had been attacked, and all destroyed, with the exception of six who made their escape, four of whom were wounded, the instruction of which the following is a Copy was issued from the Department of War to the American General then in command. "On the receipt of this letter, should the Seminole Indians still refuse to make reparation for their outrages and depredations on the Citizens of the United States, it is the wish of the President that you consider yourself at liberty to march across the Florida line, and to attack them within

its

"its limits should it be found necessary, unless they should
"shelter themselves under a Spanish Fort, in the last Event
"you will immediately notify this Department."

8 These with a subsequent Instruction of the 26th of December to the Commander in Chief referring to them, and directing him with a view to them, to adopt the necessary measures to terminate a conflict which it had ever been the desire of the President from considerations of humanity to avoid, but which was made necessary by the settled hostilities of the Indians, are all the Instructions given in relation to Florida.

9 By the ordinary Laws and usages of Nations, the right of pursuing an enemy who seeks refuge from actual conflict, within a neutral territory is incontestible. But in this case the territory of Florida was not even neutral. It was itself so far as Indian Savages possess territorial rights the territory of the Indians with whom the United States were at War. It was their place of abode, and Spain was bound by treaty to restrain them by force from commiting hostilities against the United States - an engagement which the Commanding Officer of Spain in Florida had acknowledged himself unable to fulfil. Of the necessity there was for crossing the line what stronger proof could be adduced than that it was within that line that the American General met the principal resistance from the Indians which he encountered in the whole Campaign; that within that line, at their towns which he destroyed, he found displayed as barbarous trophies the mutilated remnants of our wretched fellow-Citizens, the murdered women and children, the accumulated barbarities of many years.

10 You have seen that no Instruction or Authority inconsistent

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inconsistent with the declaration in the Message of the President of the United States of the 25th of March last to Congress was ever issued to the Commander of the American forces. The possession which he took of the Fort of St. Marks and subsequently of Pensacola, was upon motives which he himself has explained and upon his own responsibility. For his justification in the adoption of both those measures he states them to have been necessary upon the immutable principles of self defence. That at an early period of his operations he had given full notice of their object to the Governor of Pensacola, by a communication dated the 25th of March last, warning him that every attempt on his part to succour the Indians or prevent the passage of provisions for the American troops in the Escambia would be viewed as acts of hostility.

11 That in defiance of this admonition the Governor of Pensacola did both give succour to the Indians; and delay the passage of the provisions to the American army, and thereby subject them to the severest privations.

12 That the Governor of Pensacola had caused it to be directly reported to the American General that Fort St. Marks had been threatned by the Indians and Negroes, and expressed serious apprehensions from the weakness of the Garrison, and defenceless state of the work for its safety. That this information was confirmed to the American General from other sources upon which he could rely and completely warranted the amicable occupation by him of that Fort.

13 That upon his entering the Fort, evidence clear, unequivocal and manifold was evinced of the duplicity and unfriendly feeling of the Commandant. Evidence demonstrating beyond the power of denial, that far from acting in the Spirit

of

of that sacred engagement of his sovereign, to restrain by force his Indians from hostilities against the United States, he had made himself by every act in his power a partner and accomplice of the hostile Indians, and of their foreign instigators.

14 That the same spirit of hostility to the United States was discovered by the Governor of Pensacola himself, by his refusal to permit unless by the payment of exorbitant duties the passage of provisions to the American Army, by the reception and succours given to the Indians, at various times, and finally by a letter which he sent to the American General, denouncing his entry into Florida as an aggression against Spain, and threatening unless he should immediately withdraw from it, and should continue what he thus styled aggressions, that he would repel force by force — This was so open an indication of a hostile feeling on the part of Governor Mazot after he had been early and well advised of the object of General Jacksons operations that this Officer no longer hesitated on the measures to be adopted: the occupation of Pensacola and of the Fort of Barrancas.

15 The charges alleged by General Jackson against the Commandant of St Marks are not known even to have been denied. The Governor of Pensacola has partly and but partly contradicted those which applied to himself — He assured General Jackson that the information received by him of the numbers of Indians who had been received and harboured at Pensacola was erroneous — It is impossible that the numbers may have been somewhat exaggerated in the reports which General Jackson had received. But within ten days after the time stated in his letter, to the Governor of Pensacola of this assemblage of Indians at that place, a large body of them were overtaken, surprised, and defeated by the forces of the U. S. within one mile of Pensacola — Nor was it until after that Event that

the

7881

the Governor issued his proclamation for refusing them supplies and gave them the advice under which 87 of them surrendered themselves to the American Officers. But the measures of General Jackson were not founded upon one solitary fact - a combination of circumstances all tending to convince him of the hostile spirit of the Government, remains yet uncontradicted, and the General has furnished proofs that Governor Mazot's assertion that there had been since the surrender of those 87 Indians to Captn. Young only two in Pensacola and those in jail was itself very incorrect. Besides the Alabama Chief included in the Capitulation, one wounded Indian was found in the fort of Barrancas. Holmes a noted red stick Chief left Pensacola but the day before the American troops took Possession, and a number of other Indians was seen about the same time within a few Miles of Pensacola and succeeded with the aid of Spanish Officers in eluding the pursuit of the American troops.

16 A conduct not only so contrary to the express engagements of Spain but so unequivocally hostile to the United States justly authorises them to call upon his Catholick Majesty for the punishment of those Officers, who the President is persuaded have therein acted contrary to the express orders of their Sovereign. In the full confidence that your Government will render to the United States ample justice in this regard, the President has directed all the proofs relating thereto to be embodied as the ground of an Application to that effect to your Government

17 In the mean time I am instructed by the President

to

to inform you, that Pensacola will be restored to the possession of any person duly authorized on the part of Spain to receive it. That the Fort of St. Marks being in the heart of the Indian Country, and remote from any Spanish settlement, can be surrendered only to a force sufficiently strong to hold it against the attack of the hostile Indians; upon the appearance of which force it will also be restored.

18 In communicating to you this decision, I am also directed to assure you that it has been made under the fullest conviction, which, he trusts, will be felt by your Government, that the preservation of Peace between the two Nations indispensably requires that henceforth the stipulation by Spain to restrain by force her Indians from all hostilities against the United States should be faithfully and effectively fulfilled.

I pray you to accept the assurance of my high consideration.

(signed) John Quincy Adams

7882

Mr Adams
to
Don Louis de Onis
23d July 1818.

~~[illegible]~~ near mouth of Cypress

Major James Colbert July 24th 1818

Friend & Brother

I wrote you some time ago to meet me at this place with the chiefs of the nation & such other chiefs as you might think proper on the 22d or 23d of this month explaining to you the object of the proposed meeting, that was, that Genl Shelby & myself had been appointed by your father the President of the U States, to hold a treaty with the chiefs of your nation, for an exchange or purchase of the lands claimed by your nation, lying in the bounds of the State of Tennessee & Kentuckey for lands west of the Mississippi. you not having met me agreable to my request, has occasioned me to send you this by express, that I may have your written answer ~~[illegible]~~ in which I ask you the reason why I have not heard from you. Genl Shelby writes me he is verry infirm, and not able to go to your nation - therefore we wish the chiefs of the nation to meet us in the neighbourhood of Nashville, or in the neighbourhood of this place, Hearing that the agent has reached your I have wrote him on this subject. I informed you in my last that the sum due your nation by the stipulations in the last treaty has been deposited in the Nashville Bank many months past, & if it has not been distributed amongst your nation I have wrote the agent to have it done forthwith. I have a great wish to see you. you know I am your friend & that of the nation, I never have told your nation a lie - I wish you to recollect what I said to you at the last treaty that all the lands claimed by your nation within the State of Tennessee [illegible]

sold by the State of North Carolina thirty odd years ago
and that they purchasers of this land who had
paid their money to discharge the debt occas-
=ioned by the revolutionary war, had been a-
while was pressing your father the President
for possession of their land, that your father
the President cannot keep them any lon-
=ger out of possession of their land, and that
your father the President finding that
next congress will pass a law authorising
each individual who holds lands there
to take possession - has instructed Genl
Shelby & myself to hold a treaty and give
you a just compensation for it, in land
west of the Mississippi, or in money. I have
only to remark that this act of your father
the President, shews how much he is your
friend with what paternal care he watches
over your interest, for if Congress once
passes the law authorising each individual
to take possession of their land, which will
certainly be done you then have to de-
=pend on the Justice of congress, and re-
=ceive such compensation as congress
may think proper to give you. It is that
ample Justice be done you, and for these
reasons we have been appointed to hold a
Treaty with you before next congress, in
all which you will discover the real —
friendship of your father the President
of the U States. I am your friend & brother

Andrew Jackson
Major Genl comdg

Note. I added in conclusion the truth that the
Pr of the U. S. could not retain possession any longer than

To:
Copy to Levi Colbert

(Copy).

Major James Colbert
Interpreter Chickasaw
Nation

To:
Copy to James Colbert
Interpreter Chickasaw Nation
24 Aug 1818 on the
subject of the purpose

Andrew Jackson Guardian to A. J.
Hutchings Bond to be given

7885

To:
Copy to James Colbert
Interpreter Chickasaw Nation
24 July 1818 on the
subject of the proposed
Treaty

(Copy).

Major James Colbert
Interpreter Chickasaw
Nation

Washington July 24 1818.

Dear Sir

I have had the pleasure to receive your letter of the 19th; with the number of the Demo: Press which contains your remarks on the late occurrences in Florida, which I have read with much interest & satisfaction. You have suggested & stated many ideas, on the subject, which are perfectly sound and correct, and carefully avoided any compromitment, on ground not sustainable or which would bring you into conflict, with the course, pursued by the Government.

The fact is, that the General acted without authority, and even against his orders, in the material circumstance of taking Pensacola. The conduct however of the Spanish Officers, is thought to have justified him. They stimulated the Indians to the war, furnished them with munitions of war to carry it on, embarrassed his operations by refusing a passage to his provisions, furnished an asylum, as you state, to a principal chief &c. The facts on which he rests his justification, were not known to the Govt. when his orders were given, many of them indeed occurr'd afterwards; tho I do not think, had they been known, or anticipated, that the Executive could have given an order to take the posts. Such an order would have been war, & that power belongs exclusively to Congress, in the first instance. To retain the posts, would be as objectionable on principle, as to take them and might lead to the same consequences. It is therefore thought proper to restore them. But as the Spanish officers are the aggressors, and every thing that has been done is imputable

7886 a

to them, the Minister of Spain is informed, that the evidence proving their misconduct, will be embodied, as forming the ground of an application to his Govt. for their punishment. He is further informed that it is expected, that his Govt. will place a force in Florida, sufficient to fulfill the stipulation of the treaty of 1795, whereby it is bound, to restrain the Indians from committing hostilities against the U. States.

There were two courses of proceeding, in direct opposition to each other, & differing each, from that which has been adopted. One was to hold the posts, & meet the consequences. This was objectionable for the reasons assigned above. The other, not only, to state that no orders had been given for taking them but to bring to trial the officer who took them, for disobedience of orders. If his defense is good, as I think it is there is no ground on which to try him, in regard to Spain. His trial, therefore, would be a tryumph to that power, over a General, who had on his own responsibility, avenged the injuries of his country, and to which triumph his own Govt. would be made instrumental. Such a measure would announce to Spain, that, let her act as she might, Florida was in no danger; we would never take it. It would confirm her in the disposition not to cede it. By avoiding both extremes, we have endeavoured, to turn the incident to the best account we could for our country, & to the credit of the General, without committing a breach of the constitution, or incurring the imputation of it, or furnishing

to Spain just cause of war. Should war follow, the Executive will not be responsible for it. It will be the expedient of desperate councils, adopted as the last resource to save their Colonies, in the hope of uniting Europe against us, & then on the calculation that if the U States, and Spain engage in war, it will soon become General, & in favor of Spain. Should war not ensue, it seems probable, that the multiplied proofs which have been offered, to the Spanish Govt. of the impossibility of fulfilling its engagements to the U States, in regard to Florida, its engagements will induce it, to cede the province.

I am glad to hear that you have made so great a progress in the translation of Bynkershoek; a work which will I doubt not do you credit and add much to the professional knowledge of all to whom the original is unknown.

With great respect & esteem
I am dear Sir sincerely yours
James Monroe

The above is a true copy from an original letter from Mr Monroe, late President of the U. States, to Mr C. J. Ingersoll of Philadelphia.

R. C. W. Earl.

7865-h

[illegible] just cause of war. Should war
follow, the question will not be whether [illegible]

[illegible]

Copy of Mr Monroe's
letter to Mr C. J.
Ingersoll of Philadel-
-phia, on the subject
of the Seminole
campaign.

[illegible]

I am glad to hear that you have made
so great a progress in the translation of
Bynkershoek, a work which will I doubt
not do you credit and add much to the
professional knowledge of all to whom
the subject is unknown.

With great respect & esteem
I am dear Sir sincerely yours
James Monroe

The above is a true copy from the
original of Mr Monroe's letter of the
[illegible] to Mr C. J. Ingersoll
of Philadelphia.

[illegible] #

Head Quarters 8 Department
July 27. 1818

Col Robert Butler -

Sir,
On my return from Baton Rouge this morning I received your communication of the 17. Ins^t.

In June last I forwarded to Head Quarters a detailed report on the subject of my tour to Wash^n City and accounting for my long absence as being indispensable to the performance of my orders.

A duplicate copy I will

7886

forward as soon as I return to my family at the Bay of St Louis where all my Books and papers are. I shall depart to-morrow.

I have the honor to be

Very respectfully

Yr. mo. obt.

E. W. Ripley

M. Genl. Comdg 8 Dept

Col. Rob. Butler
Adjt. Genl. Arm. of the South

Free [illegible]

Col Robert Butler

Adj Genl. Division of the South

Head Quarters

Nashville

Service [illegible]
under Ripley

NEW ORLEANS
JU[illegible]
2[illegible]

Feb 27 - 1818

From Genl. Ripley
advising that he has
forwarded a report
[illegible]

7887

N. ORLEANS
[illegible]
2[illegible]

Free [illegible]

Col Robert Butler

Adjt Genl. Division of the South

Head Quarters

Nashville

Service
Wm Ripley

From Genl. Ripley
advising that he has
forwarded a report
of [illegible] on the subject
of his tour to Washington
& that he would shortly
forward another.
July 27-1818

7887

War Dept., 27 July, 1818

Sir,

Your letter of the 8th instant is received.

On recurring to the original draft of the letter, of the 9th of March from this Department, to Col. Gibson, I find the sum stated to be remitted to Captn. Raberson was expressed in figures, $10,000 instead of $100.000, and an error was made in copying. It was only intended to advise Col. Gibson that ten thousand, and not one hundred thousand dollars were forwarded to Captn. Raberson at New Orleans.

That letter informed Col. Gibson that $85,000 had been remitted to Major Mason and requested him, if that sum was not sufficient to meet the expenses of the Campaign, to give this Department early notice.

Instructions

7888

Instructions have been given to the Quarter Master Genl. to cause the funds, already plased in the possession of the Quarter Master's Department for the Southern Division, to be properly distributed.

I have the Honor to be,
Your most obedt. Servt.,

J. C. Calhoun

Major Genl. Andrew Jackson,
Nashville.
Tennessee

788

From Secty. War

July 27th — 1818

in answer to one

from Genl Jackson

of the 8th July. —

respecting funds

transmitted to Col.

Gibson &c. —

Chaktaw Trading House
July 27th 1818

Sir

I have taken the liberty to recommend the bearer Levi Guffy (whose time of service to the U.S. expires on the 26th next month) to go directly on to You for a discharge, instead of going to his Company at New Orleans for that purpose; as his family resides in east Tennessee. I flatter myself that You will have the goodness to grant him a discharge And to order him to be paid at Nashville. His Conduct, while with me ever since Feby. 1816, has been Generally good. He has received nothing from the U States since his arrival here. only extra pay for Public work done on the Factory, except the Clothing entered by me at the bottom of his discriptive list (which I feel confident may be relied upon as the true statement of the public Acc against him. He has left in the Factory his musket and Catouch Box, which I will send, with some others, to Mobile first good opportunity. He has drawn rations up to the 5th August 1818. inclusive

I remain Dr. Sir
with great respect Your
Obt. Servt.
Geo S. Gaines

Colo. Robt. Butler.

7890

From Geo: S. Gaines
U. S. Factor &c —
July 2 — 1818.
Levi Griffiths' term
of service expired. —
Discharged by Ro. Butler
26 August 1818.

Col. Robt. Butler
Adjutant General
Division of the South
Nashville

p. Griffiths

Col^o. Robt. Buttler

Adjutant General

Division of the South

Nashville

p. Griffith

From Geo: S. Gaines
U. S. Factor &c —
July 2 — 1818.
Levi Griffith's term
of service expired. —
Discharged by Col. Butler
26 August 1818.

Adj. & Insp. Genl. Office
July 27. 1818.

Sir

Mr Wonder, who was arranged to your division as Judge advocate, has resigned. The Secry. of War directs me to report it to you, & ask you to recommend a gentleman for the office.

I have the honor to be
with great respect & regard
Yr. Obt Servt

D. Parker
Adj. & I. Genl.

Major Genl. Jackson
Comdg. S. D.
Nashville

7892

July 27th 1818. Genl. D. Parker

reports the resignation of Judge

Advocate Edwards ang upon the

request of the Secretary of War

wishes General Parker to

recommend a Gentleman

to fill the vacancy—

Answered by the General

25th Aug: 1818.

By recommending Colo: L. D. [illegible]

War Dept., 26. July. 1818.

Sir,

I have received your letter of the 8th Instant.

If, on examination, it should turn out that Mr. Mitchell has purchased the cattle taken from the Seminoles, which you had ordered to be distributed to the Upper Creeks, you will cause them to be seized and will exercise your discretion, either to carry the order for distribution into effect, or to sell them at auction, at such place as you may deem most advisable.

If sold, the proceeds will be placed in the possession of the Quarter Masters Department, to be applied to current disburse-ments of the Department. It is to be regretted that any interference has prevented the distribution which you proposed.

I have the honor to be,
Your most obed. Servt.,
J. C. Calhoun

Major Genl. A. Jackson,
Nashville.

7894

Secty of War 28 July 18

respecting Cattle taken from Seminole Indians

The Adjutant Genl. of S. Division will issue an order to Genl Gaines to have the facts of the cattle being sold, & if sold have them forthwith collected, & distributed as equally as possible and this by a Special agent appointed to superintend said distribution; enclose the Genl a copy of this letter — and order Genl Gaines to have all horses, brought in sold for the benefit of the U States & the funds, therefrom arising to be applied to the Q. Master Department

executed vide letterbook

August 19th 1818.

Chickasaw Agency July 28th 1818

Sir

Your favor of the 24th Inst. I this day received by Doctor Wm. R. Gardner relative to the contemplated Treaty soon to be held with this nation. Major Colbert on receiving your letter returned an answer the 17th Inst. by Mail (which he Shew me) that he & some of the chiefs would meet you at Cypress the 5th of August & then agree on some place in this nation to hold the treaty— The Major is now with me & says he will certainly set out on the 30th Inst. & wait your arrival at Cypress five days in which time he expects you can be there if not sooner. On the 13th Inst. I attended a small Council that was held at Major Colberts, which was called principally on account of the proposed Treaty, they appeared much opposed to the selling or Exchanging any more of their Lands & some of them rather averse to meeting the united states Commissioners on the Subject— I then told them, that, from the respect they professed for the President it was their duty to meet the Commissioners he had appointed to treat with them, if the contrary course was pursued they would lessen the friendship of their best friend, at any rate if they did meet the U. S. Commissioners they still had in their power to refuse either to sell or Exchange— On this suggestion of mine they then determined to send some of their Chiefs to meet you as stated in Major Colberts letter of the 17th Inst.

I have received a Letter from the Secretary of War informing me that the money for carrying into effect the Treaty of September 1816 for the stipulations due for 1817 was deposited in the nashville Bank & as

7896

soon as Colo. Butler returned (who had deposited it there) he would be directed to pay it over to me, that it might be given to those to whom it was due — this information was given me by the Secretary of War May 2nd. since which I have heard nothing on the subject —

By a letter received a few days since from the Super Intendant of Indian Trade, was inclosed Invoices of Goods to the amount of Twelve thousand & Two hundred Dollars Shipped from Pittsburg to the Chickasaw Bluffs, to discharge the Annuity due the Chickasaw nation for the year 18— These Goods some of the nation appear to be dissatisfied with as they consider their Contract was for money only, but I am in hopes they will be willing to receive them — I think when the money arrives from the Nashville Bank which I soon expect, & the Goods for the present years Stipulation, you may with Confidence tell the nation that the United States have been prompt in the discharge of their duty in carrying the Stipulations of the Treaty into effect. I am respectfully

Your Obedt. Servt.
Henry Sherburne Agent for the
Chickasaw Nation of Indians

Major General Andrew Jackson

P.S. If I can be of any use to you in carrying your object into effect please to signify it —

Henry Sherburne
agent for the Chickasaw
Nation – recd 4th Augt 1818
in Nashville

Major General Andrew Jackson
Davidson County
Tennessee

Henry Sherburne
agent for the
Chickasaw
Nation – Ec.
the 4th of august
1818 in Nashville

1684

Quarter Master Genl. Office
Washington 28 July 1818.

General,

Your letter to the Secretary of War dated the 8th instant, has been referred to this Office, and I have requested the sum of thirty thousand dollars to be placed to your Credit in the Branch Bank of the U. States at New Orleans — also ten thousand dollars to be transmitted to you at Nashville, all on account of the Quarter Master's department, and which I must request you to apply as you may think best for the interest of the service. —

Major Milo Mason, of the Quarter Master's department, on the thirty first of May last, reported a balance on hand of sixty five thousand dollars, and stated that no further sum would be necessary required for the month of June. Appre-

7898

-hending, however, that funds might be necessary at New Orleans, I transmitted twenty five thousand dollars to General Ripley on the 30th June:— that sum, with the forty thousand transmitted to you, and the sixty five thousand reported by Major Mason, will make an aggregate of One hundred & thirty thousand dollars for the service of your Division— Should more be necessary, I must request that early information be given, and I pledge myself that whilst a dollar of the appropriation remains unexpended, your command shall be supplied—

I am, General,—
With the highest respect & esteem,
Your Obt. Servt.
Th. S. Jesup
Brigr. & D. M. Genl.

Major Genl. Andrew Jackson
Commg. South Division
U. S. Army— Nashville, Ten.

7899

Brigd. Genl. Jessups letter
of the 28th of July on the
subject of Q.M. funds —
Recd. 16th of August 1816

Department of War
29th July 1818

Sir

By the last Western mail I received your Excellency's two letters of the 6th and 7th Inst with the accompanying documents. They exhibit a full view of the measures to which you have resorted, to carry into full effect the treaty with the Cherokees, as well as the obstacles which you have encountered. — The zeal and discretion which you have exhibited throughout the whole transaction, entitle you to the thanks of the Government, and fully justify the confidence which the President reposed in you. —

The conduct of part of the Cherokee Nation merits the severest censure. After the ratification of the Treaty, resistance to its fair execution can be considered little short of hostility. Menaces offered to those who chose to emigrate, or take reservations cannot be tolerated. It is an open violation of the Treaty, and will, in its final result not avail them any thing. The United States will not permit the Treaty to be defeated by such means. Those, who chose to remain, are permitted to do so in quiet; and those, who chose to emigrate, must be equally free. If any can benefit themselves and family by emigration, why not permit them to depart? Such are the principles which govern the United States in relation to its own Citizens. Nor can I suppose, that those who make such violent opposition to the execution of the Treaty, are governed by a regard to the good of the Nation. Surrounded as the Cherokees

7900

are

are, by the white population they are in danger of perpetual collision with them, or, even if disputes can be avoided, to fall under all that train of vice and misery, to which a savage people are doomed when they come into contact with enlightened & civilized nations. It is in vain for the Cherokees to hold the high tone which they do as to their Independence as a Nation; for daily proof is exhibited, that, were it not for the protecting arm of the United States they would become the victims of fraud and violence. If those opposers of the treaty are really the Champions of the Independence of their Nation, they ought to be the advocates of emigration to the Arkansaw. There, their claim to Independence would be much better founded; and there, at a distance from us, they might, before the white population would crowd on them, acquire the arts of civilized life and become proper subjects of regular government.

The President, in order to add as much as possible to the permanent prosperity to the Cherokees on the Arkansaw, has given them an indefinite outlet to the West, which will continue their Independence as long as practicable. I do not see what an intelligent Cherokee has to hope, situated as his Nation is, except in emigrating to the West or taking reservations, & settling down under the fostering protection of our Laws. As our population grows dense around them, it will be out of the power of the Government itself to protect them in their present condition. The President in the proposed change of Territory, consulted both their

and

and our interest. On the Arkansas every effort will be made to render their condition happy, and to lead them to the arts of civilized life.

Their prospect then, in every respect, is much brighter than it would be on this side of the Mississippi; of which fact they ought to be fully satisfied.

Your construction in relation to reservations is correct. I have examined, with care, the project of an arrangement which you propose, to carry the treaty into effect. Such an arrangement accords entirely with the views of the Government, if the assent of the Cherokees can be had to it. My fear would be that by presenting so bold a scheme at once, you would augment the violence of the opposition, and might endanger the final success of the measures which you have been pursuing. This, I merely suggest, for you must be much more competent to judge, being on the spot, and being individually acquainted with their leading characters than myself. You will, therefore, continue to exercise your discretion, as you have heretofore done, on this as well as all other points.

If you think they can be brought into the plan, which you propose the Government would not hesitate to make the most liberal advance to the Nation. I should think the terms you propose moderate. In compliance with your request I have directed your project of an arrangement to be copied, and will transmit it to you in the form of Instructions, to be used, if you should judge it expedient; but would not advise the bringing them forward from the Government unless you should be confident of success

I have varied it as to the amount proposed which I have fixed at $100.000; but even that sum might be considerably enlarged, if necessary to effect the arrangement.

As to the time of taking the Census, you are the best Judge, the longer it can be fairly postponed, the better, &c. but I would not delay it in the hopes of effecting all our objects, provided they will desist from menaces and an improper opposition. I would state to them expressly, that until they withdraw their improper opposition the census would not be taken

I have the honor to be,
your most obt servt
J. C. Calhoun

His Excellency
Joseph McMinn,
Knoxville, Tennessee.

(A Copy)

Department of War,
29th July 1818

Sir

Mature reflection having convinced me, that it would add greatly to the interest of the United States, as well as the Cherokee Nation, if the late treaty with them could could be carried into full effect, by inducing that Nation, either to take reservations and become citizens of the United States, or to emigrate to the Arkansaw and enjoy the life which is so agreeable to many of them; I have thought proper, through you, to propose the enclosed arrangement, which if it should be adopted, will render the execution of the Treaty simple and easy. It is to be hoped, that the more intelligent part of the Cherokee Nation will be convinced, that, surrounded as they are by the white population, it will be impossible that they can continue long in their present condition without sustaining the greatest inconvenience; but they may still be happy, by taking reservations and putting themselves and posterity under the protection of our Laws; or by emigrating to a greater distance from our settlements. Both of these means are held out to them. Those who are fond of their present State of society, may emigrate with advantage, to a Country which, in every respect, will suit them much better; and those who wish for property and protection may take reservations. Universal experience proves, that a people still in a savage state, cannot reside in the immediate neighbourhood of a civilized nation

7902

without

without falling into a State of vice and misery. By removing to the West, the Cherokee nation will obtain time, before they can be crowded by the whites, to become civilized, and capable of enjoying the advantage of equal laws. The Government of the United States will be still mindful of them in their new homes and afford them every means to render themselves happy. Reflection ought to teach them, that the arrangement would add much to their prosperity. Let them reflect, how nation after nation have sunk before the U. States, and they will see the necessity of coming into our views. You will present these ideas to them in the manner which you may judge best, to cause them to be fully comprehended.

I have the honor to be
your obt. servant
J. C. Calhoun

His Excellency
Joseph McMinn
Knoxville

A Copy

7903

Hd. Q. E. D. South

Pensacola 29th July 1818

You will repair to Camp Montgomery and Enter upon the Execution of a topographical Survey of the Country from the mobile river near that Place to Amalia Island Pursuant to the orders which you have received through the Adjt Gl. of the Southern Division

To Facilitate the Execution of this Duty you will be Accompanied by a Corps of mounted volunteers under Command of Capt. Boyles who will be in readiness to march from Montgomery by the second day of August next — the volunteers will accompany you and act under your orders, to Fort Scott where they will be relieved by a detacht of the 7th Infantery

Should you meet with any Hostile Indians on your route you will attack and if Practicable take or destroy them but should their strength be greatly superior to that under your Command you will in that Event take a ~~Stan~~ Position witin you Can be reinforced from Fort Crawford, Fort Scott or Amalia Island where the officers in Command will be instructed to

7904

to afford you every necessary aid & supply and for this Purpose you are to keep each of them informed of your movements and wants whilst in the vicinity of these Posts

it is expected that you will make an accurate ~~Topographical~~ Survey keeping a Journal or field Book in which you will note the Course and Distances from Creek to Creek and from Place to Place describing the face of the Country the routes, swamps, Hills, Timber, and generally whatever may present itself as worthy of note, in the vegetable, mineral or fossil kingdoms and in addition to the reports required by the Orders from the Adjudant General office you will transmit to me a duplicate of your Reports

Yours &c

Major P. H. Perrault
Topo^l. Engineer

Edmund P. Gaines
Maj^r. G^l. by Brevet

True Copy
Major P. H. Perrault

Gen. Gaines
to Maj. Perrault
Topog: Engineer
Instructions —
July 29th. 1818
Copy

7905

Maj. E. P. Gaines's
orders & Instructions
July 29th — 1818
Copy

Gen. Gaines
to Maj. Perrault
Topog: Engin.
Instructions —
July 29th. 1818.
Copy

7905

Maj. G. E. P. Gaines's
order & Instructions
&c
July 29 — 1818
Copy

Chaktaw Trading House
July 29th 1818

Sir

The detachment of troops ordered here in the winter of 1815-16 has now dwindled down to three men without an officer. I was fearful that I should not be able to Keep them in good order without an officer, but have had no difficulty as yet - they have conducted themselves well, and are useful in aiding me to preserve the Skins from worms, and seem to be, since their Sergeant left them in May, perfectly well satisfied.

I cannot say that I feel any apprehension of danger from Robbers. But it would seem to me that a small guard ought to be

7906

kept up here, say a noncommissioned officer & 6 or 8 men. We have generally from 25. to 40.000 dollars worth of public property on hands. A small guard with a sober honest officer would prevent any attempts to rob. and would be very useful in beating & baling skins, in unloading & loading Boats &c - such light jobs are always done willingly by the soldiers, if their immediate officers are not too knowing in the law and such jobs not only cost the U. Sta a good deal of money, when done by citizens, but the factors often find it difficult to hire them when wanted.

I should be exceedingly thankful for a good honest Corporal or Sergt. & six or eight more men this next fall, and shall esteem it as a favor

of you if you will have the goodness to converse with Genl. Jackson on the subject.

I am Dear Sir
with very great respect
your obed^t. Ser^t.
Geo. S. Gaines

Col^o. Robt. Butler

7907

From Mr. Geo. S. Gaines Factor

Choctaw - July 29th 1818

on the subject of procuring an other detachment as a guard for the Factory -

Col. Robt. Butler

Adjt. Genl.

Nashville

p Griffith

Answered on the 2d of Novr 1818

Department of War,
20th July, 1818.

Sir,

I regret exceedingly the delay which has taken place in the payment of the annuity to the Chickasaw Indians. It has arisen from the long delay of the arrival of their agent. The former agent being dismissed, it was not thought proper to make the payment thro' him. The annuity of this year, was transmitted in goods thro' the superintendent of Indian of Indian trade, as it was understood that goods, in lieu of money, would be acceptable to the Indians. They have, I presume, been received. The annuity for 1817, and a sum of about $7,000 to be paid under their late treaty, has been transmitted to their agent this day. He has been directed to pay the whole immediately, unless directed otherwise by you or Governor Shelby. It is possible, that the payment of so large an amount at the time of negotiating the treaty, might be turned to some account. If you judge it advisable to have it then paid, you will direct the agent accordingly.

Enclosed is a copy of a letter to Governor Shelby, of the date of this; which will point out the extent of power, intended by the instructions accompanying the Commission, to be given to you, in regard to which he appears to labour under a mistake.

I have &c

7908

I have the honor to be,

Your most obedt. Servant.

J. C. Calhoun

P.S. I also enclose an extract of a letter addressed to Col. Sherburne from this Department.

Major Genl.

Andrew Jackson,

Nashville, Tennessee

The Honble J. C. Calhoun
Sec of war letter of 30th
July 1818 recd 16th August

7909

1909

The Honble J. C. Calhoun
Sec of war letter of 30th
July 1818 Recd 16th August
18. on the subject of the
annuity & Treaty, the Rcpt
to be acknowledged, & in-
formation given of the sub-
stance of the letter to the
Indian agent — as on this
to be acknowledged, and in-
formation given of the
time & place of holding
the treaty — and that Col.
Shelburn agent will be
instructed to pay the
sums due the Indians at
that time & place as much
good may result thereby in
furthering the objects of
the treaty, at least it will
save much expence
there being no contractors
agent here for the State of
M. a contract will have
to be made with some
individual for the necessy
supplies for the Indians, I
have however directed
the adjutant Genl of D.
to make a requisition
on the contractor for
10000 rations to be delivered
at the place where the treaty
is to be holden — A. J.

1819

(Copy.)

Department of War,

Sir, 30th July, 1818.

Your letter of the 10th July, relating to the proposed negotiation with the Chickasaw Indians, was received this morning. In the instruction which was given to you, it was not intended to place any limitation on the powers of the Commissioners, as to the terms on which the land should be acquired. The goods sent to the Chickasaw Bluff and the sum for which you were authorized to draw, were intended to be used at your discretion, in bringing about the treaty, by presents to the principal chiefs, or otherwise. Should a larger sum be necessary, you are authorized to draw for it, provided it does not exceed $5,000. The treaty itself, you will of course make on such terms as you may judge proper. The goods sent to the Bluff were ordered to be selected with great care; and, I think, you will find them useful to put the Indians in a good temper to negotiate. You are authorized to take such measures, and to incur such expense, to have the goods brought to the place of the treaty, as you may judge proper. About $30,000 (two years annuity, and a sum due under the late treaty with the Chickasaw) will be shortly paid to the nation. I have directed the agent, Colo. Sherburne, to pay it immediately, unless you or Genl. Jackson should direct the suspension of the payment. It is possible, that the payment at the time of making the treaty, might be turned to advantage. It is submitted however to your discretion. —

7910

I have

I have the honor to be,
&c. &c.

(Signed) J. C. Calhoun

His Excy.
Isaac Shelby
Shelbyville Ky.

7911

Copy of the letter to
His Excellency
Isaac Shelby
from Sec of war 30th
July 1818: Rec.d 16th August
18—

(Extract.)

War Dept., 30 July, 1818

Sir,

The Treasurer will transmit to you, Nineteen thousand, three hundred and fifty dollars. Seven thousand, three hundred and fifty, to carry the Treaty of the 30th of Dec. 1816, with the Chickasaw Nation, into effect, and twelve thousand, for the annuity due to them under that treaty, for 1817. You will cause this sum to be distributed, according to the tenor of the treaty, as early as possible, provided Gov. Shelby or Genl. Jackson may not advise you to delay it. The annuity due the Chickasaws, for 1818,

7912

has been

has been forwarded in goods some months since, by the Superintendent of Indian Trade. So soon as they reach your agency, you will cause them to be distributed, without delay, unless also directed to suspend it by Govr. Jackson or Govr. Shelby.

I have the honor to be,

Your most obedt. Servt.,

(Signed) J. C. Calhoun.

Henry Shelburne Esq.,

Indian Agent,

Chickasaw Agency

Extract of a letter from
Henry Shelburne Esqr
Indian agent on the
subject of the annuities
due the Chickasaws -

30th July 1818.

Quarter Mast.r Gen.l Office
Washington July 30th 1818.

General,

Since writing my letter of the 28th instant, I have received a Statement of Major Mason's Accounts, by which it appears that in addition to the sixty five thousand dollars on hand on the 31st of May last, he received in the month of June the sum of twenty five thousand, nine hundred, and fifty three dollars, besides the amount of a Draft on the Secretary of War —

By the enclosed statement you will observe that more than One hundred and seventy thousand dollars have been placed subject to your orders: Should a further sum be necessary it shall be fowarded at the earliest notice —

I have the honor to be,
General, Your Obt Servt.
Th. S. Jesup
Brig.r & Q. M. G.l

Major Genl.
Andrew Jackson
Comm.g Southern Division

7914

Brigdr. Genl. Jessup, Q. Mr.
G. Letter of 30th July stating
the amount of the Q. Mr.
funds in the So. Division
accompanied with the
memorandum of the
distribution of the sd.
funds, & in whose hands
they are to be referred to
Recd. 16th of August 1818

[Aug 3] 1818

Louisville K: July 31. 1818

Sir.

I have the honor to enclose herewith, a letter from Brig: Gen: Bissell, also copies of two notes connected therewith. It was originally designed that I should take Nashville in my way, but it being 100 or 150 miles out of my route to Washington, and my presence not being necessary, I have forwarded the documents for the consideration of the Major General, and have to request that his decision thereon, may be forwarded to me at Lexington K:, as early as your convenience will permit. —

Most Respectfully
Your obedient Serv:
T. Cross
Lieut. 1 Infantry

Colo Butler. —

P.S. Should the Genl: not think fit to give me orders, leave of absence for one month will be acceptable.. — T.C.

8016

From

D. T. Cross
1st Inf

July 31 — 1818
with several enclosures
Requesting a furlough
or an order to proceed
to Washington. Answered
15th Septr. 1818 — The
application ~~and~~ for
furlough or order not
granted. —

8017

Colo. Robert Butler

Adjutant General S. D.

Nashville

Tennessee

Let, St Cross be ordered to the city for the settlement of his accounts – If there is any precedent to authorise it he being on the recruiting service – I have doubts of the propriety of my giving any order to him, changing the orders of the commanding officer of the Dept. except going through the proper channel

A. J.

Adjutant & Insp Genls Office
July 31st 1818

Genl. Craev,

The promotions of 2d Lieuts of the Corps of artillery under the act of April 20th, and those subse-quently made by casualties, leave supernumerary officers in some Battalions, and vacancies in others; to obviate which, the following distribution is ordered, viz: 1 Lieuts Wilkins and Booth of the 1st Battalion North Division and 1st Lieut. E Humphreys of the 4 Battalion North Division; and T. J. Baird, now ordered to the 2d Battalion South Division are arranged to the 5th Battalion South Division and will report for duty to Major Bankhead Commanding at Charleston South Carolina; 1st Lieut J. T. Abeel of the 4 Battalion North Division, is arranged to the 2d Battalion North Division, and will report for orders to Lieut Colonel Walbach commanding at Portsmouth. 1 Lieutenant J. Parkhurst of the 2d is arranged to the 4 Battalion

7916

south Division, and will report to Lieut Col. Lindsay.
The Corps of Artillery will then be distributed and arranged as follows, conformably to Genl. Orders of March 24th including subsequent promotions transfers and appointments - viz: —

North Division - 1st Battalion

Colonel Mitchell - Head Quarters. Baltimore

Captains	Captains
W. Gates	B. K. Pierce
I. G. Heilman	I. Farley
1st Lieuts	1st Lieuts
G. Dearborn	Charles Mellon
Tho. C. Legate	I. S. Pierce
T. W. Denton	Allen Lowd
John Monroe	Temp. Green
2d Lieutenants	
Upton Frazier	I. M. Hanson
I. A. Adams. under Eng: orders	Edward. Harding
I. Gassaway	Geo. Leib
W. Wright	

2d Battalion

Lieut Col. Walbach. Head Qrs. Portsmouth. N. H

Captains

J. B. Crane	S. Churchill
T. Bennett	M. Mason. A. 2r Mr Genl

1st Lieuts

C. Root. aid to Genl Macomb.	C. S. Merchant
G. Loomis	N. G. Dana
H. Whiting	J. S. Allanson aid to Genl Miller
S. Armstrong	J. S. Abeel

2d Lieuts

Jas. Monroe. aid to Genl Scott.	Matthew A Patrick
R. C. Brent.	C. Pierce
J. D Graham. Westpoint	Saml Hodges.
Charles Despinville	

3d Battalion

Colonel Hindman – Head Quarters. Fort McHenry

Captains

James Reed.	Thomas Biddle
Roger Jones	N. N Hall

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1st Lieutenants

W. R. Duncan — C. M. Thruston

Felix Ansart — H. W. Fitzhugh

R. Bache — D. S. Andrews

Jac. Schmuck — R. L. Armstrong

2d Lieutenant

H. Griswold — R. B. Lee

S. W. Lendrum — S. Ringgold

4 Battalion

Lieut. Cox House. Head Quarters. New York.

Captains

Moses Swett — L Roach

T. Stockton — L. Brown

1st Lieuts

R. A Zantzinger — G. W Gardiner. West point

L. H. Osgood — L. J. DeRussey

P. Melendy — T. Childs

John A Dix — J. Davis

2d Lieutenants

Patrick Galt — Giles Porter

Jas. Spencer — Joseph Strong. Geo. Webb — Saml Smith. West point

South Division.

1st Battalion.

Maj. Bankhead.

Head Quarters Charleston, So. Ca.

Captains.

- S. Drocke.
- J. M. O'Connor.
- M. M. Payne.
- J. Erving.

1st Lieutenants.

- J. J. Beall.
- Joseph Bosque.
- R. Bell.
- H. Simons.
- P. S. Wilkins.
- E. Humphreys.

1st Lieuts continued

- W. L. Booth.
- J. J. Baird.

2d Lieutenants.

- ~~Wt. Bradley~~
- B. S. A. Lowe.
- R. M. Forsyth.
- John C. Kirk.
- J. R. Vinton on survey of coast
- G. L. Griffith.
- J. M. Washington.
- D. C. Nicholls.

7918

2d. Battalion.

Lt. Col. Macrea

Head Quarters, Norfolk, Va.

Captains.

Wm. Wilson.

H. Teaton.

E. A. Allen.

~~M. P. Lomax.~~

1st. Lieutenants.

J. Mountfort.

R. Mc. Clelland.

Joseph P. Prince.

J. L. Gardner.

1st. Lieut. continued.

J. I. Harrison.

N. P. Wilkinson.

E. Brimhall.

J. Mc. Ilvain.

2d. Lieutenants.

Wm. P. Mc. Neill. {survey of the coast.

C. M. Eakin. West point.

Edwd. Polk.

S. Mc. Kenzie.

J. S. Jackson.

3rd Battalion.

Major Many.

Head Quarters, New Orleans. Lou.a

Captains.	1st Lieutenants. Contin.d
E. Humphreys.	Jas. Ripley.
J. K. B. Romayne.	J. E. Craig. under Eng.r orders.
Wm. M. Reed.	H. K. Mead.
R. Ruffin.	R. H. Lee.
1st Lieutenants.	2d Lieutenants.
L. Whiting. a.t to D. Ripley.	E. F. Lambert.
S. D. Snyder.	Jos. Chambers.
Aeneas McKay.	P. Corprew.
J. L. Taylor.	J. Dangerfield.

7919

4th Battalion.

Lt. Col. Lindsay.

Head Quarters Mobile Miss. Ter.

Captains.	1st Lieuts. continued.
S. B. Archer.	Wm. McClintock.
A. C. Fanning.	H. H. Minton.
P. P. Peters.	W. T. Millard.
L. Scott.	J. Parkhurst.
1st Lieutenants.	**2d Lieutenants.**
A. L. Sands.	P. W. Gardner.
S. Spotts.	R. Scott.
W. H. Nicoll.	A. F. Cochran.
M. S. Massey.	Wm. M. Graham.

By order
D. Parker
A. A. Genl.

To The Adjt. Genl. of ~~Fourth~~ Division

Note. A copy will be sent to the commandg. officer of each dept. of the corresponding officers of [illegible] this office Battalion of Artillery. D. Parker

Mount Holly July 31st 1818

Sir

Pursuant to an order from the Adjt. Genl. I Report myself on Furlough at this place to the end of August – I shall then repair to West-Point, to which post I am attached –

I remain Sir

respy. Yr. Obt. Servt.
Const. McEakin
Lt. Arty. & Asst. Profr. Engs.

Col. R. Butler
Adjt. Genl. S. Div.
Nashville
Tenn.

7920

From
Lt. E. M. Eakin
Artiy. – Reports himself
on furlough
31st. July 1818

Public Service
E. M. Eakin
Lt. Arty.

Col. R. Butler
Adjt. Gen. of S. Div.
Nashville
Tenn.

Belle Fontaine
August 1st 1818.

Sir,

I have the honor to transmit herewith a communication from Lt. Col. Chambers, covering one from Capt Ramsey. The latter Officer is at present confined to his bed in St Louis, supposed to have been occasioned by a wound ~~from~~ received in a personal affair with Captain Martin.

As his object is certainly to delay until the last of the present year, the acceptance of his resignation with a view to the pay. Colonel Chambers is desirous if it can be done consistently, that his resignation be accepted immediately — The service of every Officer of the Regiment is at the present period essentially necessary. — My returns will shew the number of Officers subject to my control.

I have the Honor to be
Sir, with high respect
Your obt Servant.

T A Smith
Brig. Genl
U. S. A

Colonel.
Robert Butler
Adj Genl. S. D.
Nashville Ten.

7927

August 1st 1818.

from Genl Smith relative

to Capt. Ramsey –

&

Enclosures forwarded 19th Augt.

to the Adjt & Insp. Genl.

Answered. 2 Sept 1818

Lexington Kentucky
1st August 1818

Major General Jackson,

Sir,

After ten years of unremitting attention to my Professional Duties, during the whole of which time I have had but one short furlough, I am coerced by the state of my Pecuniary affairs as it has become indispensably necessary to my Sensibilities and my honor to extricate myself from my present pecuniary embarrassments to apply to the President for a furlough for twelve months so as to enable me to turn my attention to my private affairs in such way as will be incompatible with the discharge of my Official Duties. In addition to the reasons assigned above I rely in part upon the facts connecting themselves with the state of my command, the improbability of my being required in the course of this time ~~for~~ to do any thing which could not be as well done by a Subordinate, with the assurance that I shall at all times be ready to march when my Superiors shall think it necessary. Suffer me to express a wish that this application of mine may meet with your generous and friendly support— I have the honor to be

7938

With high consideration

Your Obdt. Servt.

Ro. C. Nicholas.

Col.o 8.

N.B. Suffer me to Solicit that you will notice this communication of mine as early as may meet your convenience

7929

from Colo: R. B. Nicholas
~~1st August~~ 1818 - answered
as pr. ~~Note on the back~~
12 Augt. 1818.

Public Service

Major General

Andrew Jackson

The adjutant Gen
will say to Col.
Nicholas, that a
confidential c
=munication fr
the executive f
=closed the com
Genl from com
=municating any
=lings for the
present—& requ
me to say, that
it is all impor
=tant that the
should be speedi
filled, & every
=fear at his pos
A. J

executed 12th Aug 1818.

Louisville Kentucky
2d August 1818

Battalion orders

Lieutenant G. W. Gardner of the 4th Battalion of Artillery on receipt hereof will take command of all the recruits made by Captains Neil and McKenzie and Lieutenant Forsythe of the 4th Battalion of Artillery and immediately repair with them, to Pensacola (W. Florida), and report his command to Capt. Geo. P. Peters of the Artillery.

The recruits made by Captains Neil and McKenzie, and Lieutenant Forsythe for the 4th Battalion of Artillery are attached to Capt. G. P. Peters Company, and on Lieutenant Gardner's reporting their arrival at Pensacola Captain Peters will report and Muster them accordingly — upon the execution of the above order Lieutenant G. W. Gardner will then repair to Alexandria (D. C.) on the recruiting service for the 4th Battalion of Artillery he will report his arrival to the commanding officer of the 4th Battalion of Artillery at this place.

By order of Lieutenant
Colonel Lindsay

(Signed) J. Parkhurst Lieut
& Battalion Adjutant

Certified

7930

Copy

of a Batt^n. Order from
Lt. Col. Lindsay – 2^d Aug. 1818

Nashville augt. 4. 1818

A letter written this day to James Colbert by Lieut. Hope ~~all~~ regretting that indisposition prevents him from meeting Colbert & other Chickasaw Chiefs at the Tennessee River, requesting Colbert to come to Nashville, If he cannot wishing him to have the time of meeting in the nation to the Commissi-=oners so that they may be able to make the necessary preparations – Expressing ~~that~~ a fear that evil men have been giving bad advice to the Chickasaw nation & recommending that they listen to the talk of their Father & receive a just compensation for the lands lying within the boundary of the State of Tennessee & Kentucky – That these lands belong to white men who want them & will petition Congress to put them in possession of the nation will not sell – That the nation will have more land remai-=ning than they can cultivate, ~~that that if~~ which land belongs to the U States who will never again disturb the nation.

Signed Andrew Jackson

7932

Paymaster General's Office
City of Washington
August the 5th 1818.

Sir,

The bills drawn by you on the Secretary of War as notified in your letters to him of the 28th and 29th of June 1818, from Nashville & Franklin, having been refered to the Paymaster General for payment, some imperfections are discovered in the numbering and in the expressions of *first* and *second of exchange*, which lead to embarrassment, and a case has occurred to day in which I have been obliged to resort to an instrument of indemnity from the Mercantile House who presented some of them, as the enclosed copies will more fully disclose to you.

Among other bills you appear to have drawn 10 setts of 1000 dollars each in favour of M. Ducamps Cashier, dated at Franklin June 28th 1818, No. 1.2.3.4.5.6.7.8.9.10, all of which have appeared and been paid except No. 5, and as two *first* bills of No. 6 have appeared, & under all the circumstances attending them, been paid, I am inclined to believe there will no

numbers

7936

number 5 appear, and that you have by mistake numbered it 6 instead of 5; but if it should, will it not be a strong indication that one of No. 6 should have been expressed on the face of it as being the second of exchange: The Paymaster General, who is at present indisposed, will be glad to receive from you such explanations of the subject as will enable him to understand it more satisfactorily?

I have the honour to be
very respectfully Sir
Your Mo. Ob.t

Nath'l Frye Jr.
Chief Clk

Major General Andrew Jackson,
Commanding the Southern Division,
at Franklin, or near Nashville,
Tennessee.

number 6 appear, and that you have by mistake numbered it 6 instead of 5. But if, it should, will it not be a strong indication that one of No. 6 should have been expressed on the face of it as being the Second of exchange: The Paymaster General, who is at present indisposed, will be glad to receive from you such an explanation of the subject as will enable him to understand it more satisfactorily.

I have the honor to be
very respectfully Sir
Your Mo. Obt. Sevt.
Nathl Fry

Major General Andrew Jackson,
Commanding the Southern Division,
at ~~Hermitage~~ or near Nashville
Tennessee

From
Nathaniel Fry
Chief Clerk
of
the Pay Dept.
dated 5th August 1818

(Copy)

City of Washington
August the 5th 1818.

The undersigned having this day presented (among others) to the proper departments two bills of exchange drawn by Major General Andrew Jackson on the Secretary of War, both dated at Franklin in Tennessee June the 28th 1818, both numbered six in favour of Mathew D. Cooper Cashier of the Branch Bank of the state of Tennessee at Franklin, both for One thousand dollars, and both firsts of exchange, doubts have arisen on the part of the payer whether they could both be honoured, inasmuch as it was presumed one of them was intended to be and should have been the second of exchange of the said number six, or in case it was not, should have been and was intended to be the first of exchange of number five of the same tenour amount and date: Payment however has been made, rather than dishonour the bill, but upon the express condition (to which we most fully agree) that in case it should prove to be the duplicate or real second of number six the said one thousand dollars shall be promptly returned, or the first of exchange of number five produced and delivered up in lieu thereof.

Bowie & Kurtz

7938

From Bowie & Kurtz
on the subject of a
Bill of exchange
dated Washington
City Augst 6th 1818

My dear General

Nashville
6 Augt 1818

I enclose you some letters received by this days mail. I have compared the abstract with your letter book & find some of your most important communications have miscarried. These shall be copied as soon as possible. You can now expect nothing decisive from the War Department untill these documents are received —

I can collect nothing from the papers excepting the adjournment of the Cabinet Council. Mr Crawford has directed his steps to Georgia & Don Onis has returned to his Country seat in Pensylvania. The National Register states that it is the current opinion in Washington that things will remain in statu quo, untill the meeting of Congress, unless tranquility to our Frontier should demand additional operations. This is a quietus at St Augustine

Your Friend
Gadsden

7940

Meyer

Nashville
Dear General   7 Augt 1818 -

I anticipated your wish by writing to the Secretary immediately on the receipt of his letter yesterday -

I have been occupied all yesterday & this morning in preparing copies of the communications which have messecured & expect to have them ready by night -

I will write you tomorrow & will be prepared to leave this for Washington by Wednesdays Stage ———

Your Friend
Gadsden

I find that the Washington papers are preparing the minds of the people for a complete approbation on the part of the Executive of your military operations in Florida -
See publication in Wkg. &c

7942

Capt. Gadsden
To
Genl. Jackson

1th August 1818

Majr. Genl. A. Jackson
Hermitage

Louisville 9th Augt 1818

Major General A. Jackson

Sir

On my arrival at this place I found my business in Virginia unadjusted and shall be under the necessity of availing myself of the indulgence you were good enough to grant at Florence — It is my intention to set out about the 5th Sepr and as I foresee no cause of delay in the settlement of my affairs I will return in the shortest possible time. altho I have no right to trouble you with the affairs of my Battn; yet I think proper to state that I shall have only four disposeable officers for the recruiting ser=vice, the rest being either stationed or otherwise disposed of — Officers have been removed from my Battn & others put in their place without my knowledge or consent, by orders issued at Washington copies of which I herewith inclose. If this proceeding be conformable to the known rules of service I must acquiesce without a murmur, but untill I am satisfied of that fact I must pro=test against it as being repugnant to all military usage, as tending to a disorganisation of corps and regiments, by cutting down the authority of their commandants to a mere cypher. In one of these exchanges (to wit Lt Scott) I am told my command is considerably worsted. Since these exchanges have been made I believe Lt Scott is the only Officer removed from my command by order of Genl Ripley — I assert my claim to him & hope you will let me have him — Should I not hear from you previous to the 5th Sepr I shall consider myself at liberty to go at that time to Virginia & shall act accordingly. By that time I shall have arranged my command in such a manner as that my absence will prove no detriment to the service

I am with great respect & esteem

yrs Wm Lindsay Lt Col Art. Corps

7945

from Brevt. Col: Wm. Lindsay 9th Aug. 1818 with enclosures. answered 6. Sep: 1818 vide letter Book

Savannah 10th August 1818

Sir

I have just returned from a visit of a few months at Augustine where I became acquainted with local information, which may be material to be known, at least for the use of military expeditions.

The facts I deem it a duty to communicate are derived from personal observations, or the information of characters who inspire confidence.

I saw the Indians as they visited Augustine, but could not reconcile it with my feelings to converse with them. The warriors are generally painted to manifest that ferocity peculiar to them, but were not permitted to enter the Town armed. They boast of whipping Jackson's army, and driving him back from the Suwana. They are composed of Seminoles, Mikesukas, Alochawas and renegadoes from the Creeks. Two men of the Chehaw Town were there. The Indians state generally that their parents, wives and Children have been murdered & made prisoners which is worse to them, their Stock, and provisions plundered & that they have no object in living but vengeance and that they will kill an American wherever they meet him & will fight till they die. This is the language of four fifths. The Ballance might yield on any terms; but peace with these fiends is impossible till nearly every one is exterminated.

Bowlegs is certainly dead, he was buried with princely honours in the Sanguinary custom of his Country, his favourite Servant and several

946

Horses were shot & his fine Rifle, Pipe, munitions of War were all buried with him, his Son succeeds him in honour and power.

The number of Warriors is variously computed, but from all accounts they cannot exceed 4000, and are not less than 2000. They are now a mingled host of desperadoes determined on indiscriminate slaughter. A peace with these. A peace with these wretches must be nominal and would enable them to wield the Knife & the Tomahawk on innocents with impunity. They are generally driven in between the Suwana and the Coast Eastward. It is said and believed they have a Crop growing in the East part of Alochawa and the upper part of St Johns River. Their Cattle are much destroyed by our Army, & if their Crop is cut up or gathered by the Whites desperate revenge will follow unless they are awed by a Strong Force in the vicinity of St. Mary's and Garrisons on the St. Johns.

A Banditti of Negroes believed to be from 4 to 800 are probably encamped and raising a crop at the Bay of Tampore. They and the Indians are independent in their commands, and act in conjunction only as exigencies Require. Neither has an acknowledged Chief & if they act by concert, it is the result of chance or necessity.

The Bay of Tampore, the Spanish name of which is Spiritu Sancto, is situated about middle way on the Gulf of Mexico between the mouth of Apalachicola & the South Eastern point of the Peninsula, & is the most important point in North America. The Bar has from 5 to 8 fathom of Water. The Bay is perfectly secured from Storm and is large enough for a formidable fleet to ride in Safety. The live Oak on the Margin of

of the Rivers that disembouge into this Bay is supposed sufficient to build a fleet. The situation of this important point more than any other command the waters of the Gulf. The British understand the use of this fine Bay. There is also an interesting point at the Eastern extremity of the Peninsula called the "Keys", being a cluster of little Islands and inlets nearly opposite to Havanna and Matanzas on Cuba, where wrecked Vessells are driven on Shore and Sailors require an asylum. A Fort & Harbour at that place would more than any other command the Gulf Stream. A marine institution for an asylum for Sailors, the salvage of Shipping & the protection of Commerce ought to be established there. –

The Government have barely time to raise an army from militia after the Heat of Summer & before the rains inundate the Earth to extirpate these Savages. It appears to me and those best acquainted with those Savages that nothing Short of an Army of 3000 in three divisions will suppress them at once. One wing of the Army to cross the St. Marys & ascend the West Bank of the St. Johns, One to pass by way of St. Marks and the other to land at the Bay of Tampa & unite at a place on St. Johns, called "Spring Garden", about 12 Miles above Lake George where the Indians are mostly collected. Garrisons might be erected there, & furnished through the medium of that navigable River. They will then make a desperate Stand or retire to Augustine about Sixty Miles from Spring Garden. These Savages have been undervalued in their number and Character, & the month of Novemr is perhaps the only time

7947

they can be attacked to advantage.—

It is believed that the Indians and negroes procure supplies from the British in the Bay of Tampore, an immediate occupation of this point seems to me indispensable.—

It was believed by General Jackson when he retired from Suwana, that the Savages were subdued, but it is a mistake, his army was too formidable, and they retired; & the panic excited by that force is succeeded by desperation.— The Alochawas had not then heartily entered the alliance, but they are now dedicated to murder and Rapine.—

The British influence over the Court of Spain is so extensive that if possible these necessary operations may terminate in War. British Subjects are active Agents every where, whether appointed or not; they excite Spanish Jealousy and Indian vengeance with equal facility; and if they can embroil both, the commerce of the World is their own. I have witnessed Scenes of Sympathy between drunken painted Indians and Englishmen that would disgust a sober Savage.— The British conceal from the Spanish the aid given by them to the Patriots and throw the ~~[illegible]~~ Responsibility on the Americans.— Their Finesse and double dealing with the Spanish is beyond a parallelle. A little address timely administrated by our Government would open the Eyes of the Spanish Court.

I believe that Governor Coppinger does all in his power to keep peace with the United States, and has made great exertions to reduce the Indians to amity; his advice has been

7948

aug 10th 1818

disregarded by them and although they hang around Augustine & he has no authority or means to exclude them, he has virtually abandoned them to that fate that awaits them.—

I make this communication to you as a public character, but as I am compelled to return to Augustine in november, my personal security will require that my name should be concealed.

I beg you to let me know Hartford, Georgia, where I shall be or my agent will forward your answer whether it is determined to scourge those Savages. This question is peculiarly interesting to every Georgian. I shall be happy to aid in any local information you may desire—

I have the honour to be

Your friend and Obedt. Servant

General, E. P. Gaines

7948

Copy of a letter
from T. Fitch, Esqr
to Genl. Gaines
August 10. 1818

Dear General Eddyville August 10th 1818

I have taken up my pen to write to you on business, yet I cannot avoid expressing to you something of the pride I feel in haveing feebly antecipated the Glory with which you have coverd yourself, & the honour & service you have done your Country. You have not disappointed me much, as I ever believed that you only wanted oppertunity & that you would always be ready to force luck. In every thing you have been successful & in every thing you have pleased & Gratified your old friend—

My Neighbor Jacob Purkill hired to James Edwards Commanding John Willis's barge Kitty A Smart able Negro man named Archie in the month of Novr 1814 for a trip to Orleans & back, as soon as the barge arrived at New Orleans Archie was pressed to go into the Swamps back of the City to Cut down timber where he wrought so incessantly in the Water & mud for 25 days, that he fell sick which sickness turned to a Consumption of which he died soon after. Purkill has applied to the Commissioner to look into the case & order payment— The Commissioner has recomended him to apply to Congress with his papers & proofs— As he cannot find out the Name of the Man who impressd the Negro nor can find any Copy of the Orders for impressment in his behalf

7949

I have thought it proper to apply to you & to request that you will by such means as you think best ~~of~~ let us ~~[illegible]~~ have it in our power to shew that there was such orders for impress-ment for the purpose aforesaid & give me any further information on the Subject which may tend to aid Mr Puckett in obtaining his due from the Government—

Remember my kindly to your good Lady and accept the best wishes of one who ~~at~~ disdains to flatter Great folks but ever has been your affectionate & admiring

friend M Lyon

7950

Eddyville
Augst 15 13

12½

General Andrew Jackson
Nashville
Tennessee

Mathew Lyon
Letter to be
answered - wh
[illegible]
[illegible]

Pensacola Aug. 11. 1818.

Sir,

Genl. Gaines on leaving this place two days since authorized me to report direct to your Office at Nashville. I have therefore the honor to acknowledge the receipt of your communication of the 7. Ulto covering the letter of promotion of Capt. Dade & Lieut. Taylor of the 4th Regiment. Enclosed you will find the report of Officers called for by your letter under the resolution of Congress - a duplicate of which has been forwarded to General Gaines in Georgia.

Some few days after the arrival of Genl. Gaines at this place, I received two communications from Capt. Gadsden A.D.C. to the Major General; the one relating to Spanish Officers who might desire to become American Citizens - the other on the subject of the Savages. With respect to the first letter no application has been made ~~here~~ by Spanish officers for permission to remain in this Country: and the Major General's wishes had been anticipated in relation to the Savages. About the 20th of July Capt. Boyle with between 50 & 60 men of his own and McGirt's companies, was ordered for the purpose of scouring the Escambia & yellow water as far as the mouth of the latter river, where I had intended to fit him out for an Expedition against Holmes Town

an

7951

and the Country to the Eastward as far as the Appa-
:lachicola: But under date of the 29th of July
I was instructed by General Jesup to countermand
my order to Capt. Boyle & direct him to return to
Montgomery & there await further orders. This was
accordingly done by Capt. B. and the Creeks are now
at Montgomery waiting the arrival of Major Pearsall
who it is intended they shall escort in an Explora-
tion which he is ordered to make to the Eastward. After
this service shall have been performed it is, I believe,
the intention of Genl. Jesup to employ the Creeks East
of the Appalachicola, so that I presume they will
not again be subject to my orders. — Early in July
Capt. Boyle beat up the Swamps of the Perdido &
made about a dozen prisoners. Five of them being
suspected of murdering Stokes were sent by Capt.
Boyle to Claiborne to be tried by the Civil author-
:ity, but they were subsequently murdered by some
persons who had waylaid them in the vicinity of
the Town. Enclosed you will find a return
for four Companies &c. which were at this Post. Du-
:plicates of the return will be forwarded to Genl.
Gaines at Fort Hawkins and the Disbursing Officer
at New Orleans, but without the interposition of
of the Major General's authority I have but little hopes

of obtaining them. I would suggest the propriety of an Engineer being sent to this place, as there is no person present capable of directing the additional defences which circumstances may render necessary in this Harbor; able Artillery Officers would also be highly acceptable. Some few of the Spanish families for which we are bound to furnish Transportation, amounting in all to 41 souls, are yet here; but I shall get clear of them in a day or two, as a vessel is preparing to take them on board. I apprehend the Major General will be surprised to find they have remained here so long, but the difficulty of obtaining Transportation and an unwillingness to engage more than was absolutely necessary has been the cause of this delay. Not a single occurrence has taken place of sufficient importance to claim the consideration of the Major Genl. Three vessels have been seized for a violation of the Slave laws of the U. S. & sent to Mobile for adjudication — the two first by Capt. McKeever & the last by Col. Brooke.

Conceiving that the interest of the service would be greatly promoted by this command being rendered independent of that of General Gaines

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I beg leave respectfully to suggest the arrangement to the consideration of the Major General.

Serious apprehensions are entertained for the safety of the vessel which carried out General [illegible] & his staff — she has not been heard of at the Havanna in forty days after she sailed from this place.

Major Deakins has arrived with about 160 recruits for my regiment, but I have rec'd no orders for ~~the~~ sending to the 8. Mil. Dep. the Companies of the 1st & 8th Regiments under my command.

I have the honor to be
Respectfully Sir
Yr. mo. Ob. Ser.
Wm King
Col. 4th
Comdg.

Col. Robert Butler
Ad. Genl.
S. D.

Col. Wm King
To Col. R. Butler, dated
Pensacola 11 Aug. 1818